The Nation.

OUR CRUMBLING INFRASTRUCTURE
The Editors

FROM LADY DI TO SKANK POSSE
Lakshmi Chaudhry

THE AMERICAN PRISON CRISIS
Daniel Lazare

THE NAFTA SUPERHIGHWAY

IT'S BIG. IT'S SCARY. BUT IS IT REAL?

CHRISTOPHER HAYES

AUGUST 27/SEPTEMBER 3, 2007
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LETTERS

CHRISTOPH NIEMANN

ALTERNATIVE VERSIONS

Los Angeles

■ Jon Wiener's July 16/23 "End of an Era at the *LA Weekly*" contained many misleading statements, including the assertion that I had declined to respond to his questions. When he contacted me back in March, we set up a time to talk on the phone but missed each other. He never followed up, and as the months passed I assumed the story was off.

Wiener suggests that there is no longer room in the *Weekly* for strong, independent voices from the left, but in every issue his *Nation* colleague Marc Cooper gives our readers a smart, original take on political events in Los Angeles, around the nation and throughout the world, including Iraq.

Wiener also reads too much into our motives for printing last year's investigation into the death of Miguel Contreras. Is Wiener suggesting that we should have killed or censored a story for political reasons? The *Weekly* has always aggressively investigated LA politics. The difference is that progressive politicians are running the city now. So when David Zahniser discovered an attempt to alter the public record about the death of a major figure—a beloved progressive—I had to back up my reporter and print the story. My only considerations were journalistic. Once I was sure we had the story right, we had to go forward. Certainly our commentary has always been rooted in the left, but our reporters have always placed journalism above politics. To attribute Zahniser's solid reporting to a shift in political direction or a change in corporate ownership unfairly denigrates the integrity of an excellent journalist.

As for Tim Rutten's suggestion that people at the *Los Angeles Times* don't pay attention to the *LA Weekly* anymore, he should check with his colleagues, who regularly follow up on many of the stories we break, and also keep hiring away our writers—most recently, I'm sad to say, the reporter who broke the Contreras story. Rutten's accusation that we have gone "hyperlocal" is also odd. Yes, we are strong on local politics—we always have been—but a recent cover story followed a human rights activist as he helped free sex slaves in Vietnam, Sudan and Myanmar, as well as in Orange County. On the MacArthur Park incident, we've written four stories, not one, and have related longer-view stories in the works.

I'm not suggesting that everything after the merger has gone smoothly. We had some painful layoffs and lost some excellent journalists. We've also experienced rough spots as two different corporate cultures have come together—as happens in any kind of merger. But instead of believing the cartoon version of Mike Lacey as newspaper bogeyman and quitting at the first sign of difficulty, I stayed and found in Lacey a strong defender of long-form journalism, a rare quality in a media climate that encourages quick hits and instant analysis. We still have a fiercely talented staff and have just emerged from our most successful awards season ever—not only Jonathan Gold's Pulitzer Prize but a record-breaking fourteen Association of Alternative Newspaper Awards and fourteen LA Press Club Awards, all for postmerger stories. In addition, readership on our website has exploded this year, and the paper is healthy on the ad side. I don't know what the future will bring, but our first year and a half under the new Village Voice Media has hardly been the disaster that was predicted.

LAURIE OCHOA
Editor in chief, LA Weekly

Santa Ana, Calif.

■ I'm disappointed in Jon Wiener's tale of the tumultuous first months of 2007 here at *OC Weekly,* the paper I now edit. He quoted exactly one named source: my predecessor, Will Swaim, whom Wiener describes as "a friend and former student." Wiener noted that Swaim and "half a dozen of his top staff" had left *OC Weekly* and started a competing publication.

Now, if a reporter came to me wanting to write an article highly critical of a local company and to quote a single source who (1) was a disgruntled former employee of that company, (2) was a friend of said reporter and (3) had started up a competing company, well, what do you think I'd say (OK, after I stopped laughing)? Right: I'd put another reporter on it, and then—wait for it—tell that reporter to give the company an opportunity to respond to the disgruntled former employee's charges.

If Wiener had called or e-mailed me, I would have told him what an incredibly rewarding three months I've had working with what I like to think of as the "half a dozen of [Swaim's] top staff" who decided to stay on at this paper after Swaim's departure—along with the more than half a dozen other "top staff" I and my right-wing Stalinist corporate masters have hired. *OC Weekly* was a great newspaper, is a great newspaper and will continue to be one because of the talent, work ethic and professionalism of its editorial staff, whether they've been here eleven years or eleven days. I'm proud to be a part of this newsroom. See? If just one *Nation* editor had told Wiener to make a phone call, his story would have been bursting with feel-good quotes just like that one!

TED B. KISSELL
Editor, OC Weekly

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Santa Ana, Calif.

■ *Gracias* to Jon Wiener for the kind words he said about my column. That said, many of the conclusions he reached about Village Voice Media and its subsequent meaning for my employer, *OC Weekly*, are ludicrous.

Wiener begins by claiming that the new owners of VVM—the barbarians from Phoenix previously known as the New Times—strip papers of a commitment to their communities and care only about profits. His proof? That *LA Weekly* and *OC Weekly* no longer print endorsements. I am personally for newspaper endorsements, but refusing to print them doesn't translate into a dereliction of duty. Many lively independent papers and blogs don't offer endorsements; does this mean they're captains of avarice?

Wiener's thesis clashes with his own description of VVM's owners as focusing on hyperlocal stories targeting the elite. How is hyperlocal coverage not a civic service, especially at a time when dailies are more interested in layoffs, consolidations and the shaved cooters of movie vixens?

Wiener's analysis implicitly dings *OC Weekly*, so let's go to the tape: In June alone, it trashed anti-immigrant wack job Tom Tancredo, cast a critical eye on media accounts of imprisoned Vietnam War relic Vang Pao, exposed white supremacists and other criminals who prey on Orange County's defenseless, profiled a man who breaks up international slave rings, praised Vietnam's Communist president and called for legalizing our illegal immigrants. Hardly the stuff of neocons, *¿qué no?*

Finally, I'm curious as to why Wiener didn't talk to the half-dozen staffers who remained at *OC Weekly* instead of joining Will Swaim at his new paper—especially to the news staff Wiener praised, all of whom stayed. Wiener would've found folks who believe that the ideals that made the *OC Weekly* such an important part of Orange County for the better part of a decade remain safely in place. We old-timers from the *ancien régime* know a mediocre newspaper chain when we see it, and the new Village Voice Media frankly isn't one.

GUSTAVO ARELLANO
Staff writer, OC Weekly

Dallas

■ Saddened but not shocked by the knowledge of what Michael Lacey's New Times Corporation has done to the once-mighty *LA Weekly*, I couldn't help but also see what Lacey's frilly little newspapers are doing to journalism nationwide. All pap, fluff, puff and crap, the superficial barge-fleet of New Times newspapers,

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EDITORIALS

Things Fall Apart

Americans aren't just paying for the country's decaying public infrastructure with their pocketbooks. Now they are paying with their lives. The August 1 collapse of one of Minneapolis's most heavily trafficked bridges, which sent more than fifty vehicles crashing into the Mississippi River, is the latest in a string of infrastructure failures threatening public safety. In early July, on a busy runway at New York's La Guardia Airport, two airliners nearly collided in a "runway incursion," a phenomenon so common, said a spokesperson for the National Transportation Safety Board, they "only investigate a small percentage of them." Later that month, a steam pipe exploded in midtown Manhattan, flinging mud and asbestos for blocks and sending dozens to the hospital.

Everywhere one looks, the results of decades of public neglect and underinvestment are clear: not only collapsing bridges and exploding steam pipes but traffic-choked streets, clogged ports, corroded drinking-water systems and power brownouts. From 1950 to 1970 the government spent more than 3 percent of GDP on infrastructure. After 1980, that figure dropped by more than a third.

Two years ago, following the catastrophic collapse of the levees in New Orleans, which cost more than 1,000 lives, the American Society of Civil Engineers (ASCE) issued a report cataloguing the myriad deficiencies in our nation's infrastructure. That report was followed by a number of other worrying findings. The Transportation Department, for example, estimated that freight bottlenecks were costing the economy $200 billion a year. The Environmental Protection Agency warned of antiquated drinking-water and waste-water systems that would require more than $541 billion a year to rebuild over the next twenty years. And the Federal Highway Administration has calculated that some $141 billion will be needed every year for the next twenty years to repair deficient roads and bridges. All told, the ASCE estimated, the government would need to spend $1.6 trillion over the next five years to repair infrastructure. And that estimate did not address our lagging deployment of high-speed broadband or the major expenditures needed to reduce carbon emissions to stave off climate change.

Those reports, and the tragedy of the New Orleans levee collapse, should have been a wake-up call for our leaders, but little has been done. The Bush Administration has been more interested in protecting its tax cuts for the rich and siphoning off money for its endless occupation of Iraq. And the Democratic Party, scrambling to impress Wall Street with its fiscal conservatism, seems to have forgotten its proud heritage as the party of the New Deal and the Tennessee Valley Authority. Indeed, one of the first acts of the new Democratic Congress was to pass a "pay as you go" budget procedure, a roadblock to new public spending, whether on healthcare or infrastructure.

The Minnesota bridge collapse may at last be starting to change those misplaced priorities. Senators Christopher Dodd and Chuck Hagel have introduced legislation to establish a National Infrastructure Bank, which would enable the government to help finance projects by, among other things, offering guarantees to state and local governments. And Representatives Dennis Kucinich and Steven LaTourette have offered a bill to create a Federal Bank for Infrastructure Modernization, which would offer low-cost loans to states and municipalities. These bills entail modest cost to the taxpayer and are a step in the right direction. But they barely begin to meet the nation's vast public investment needs. The Dodd-Hagel legislation, for example, has

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proposed an initial bond-issue ceiling of only $60 billion.

But at least the two measures put constructive ideas on the table. All presidential candidates, particularly Democrats, should come up with comprehensive plans for closing the public investment deficit. Nearly fifty years ago, John Kenneth Galbraith warned in *The Affluent Society* about the danger of public squalor alongside private affluence. Massive public investment, he argued, was needed to improve social goods in areas where the private sector was unwilling to invest. Today, we see Galbraith's vision materializing on a frightening scale. If we don't heed his wise advice, we will suffer many more preventable disasters.

Funding Higher Ed

When Congress passed bills overhauling federal student aid in mid-July, the rhetoric flew high. House Speaker Nancy Pelosi called them "the single largest increase in college aid since the GI Bill." But the GI Bill radically transformed college from an elite bastion to a middle-class aspiration, while these long-delayed reforms merely regain some lost ground. Certain provisions in these bills could fundamentally change the way society shares the burden of college costs, but upholding the vision of a true meritocracy will require broader reorganization of student loans and even changes in the way colleges are run.

The bills contain $17 billion to $18 billion in new aid. The need-based Pell grant will increase 25 percent over five years; interest rate reductions and loan forgiveness will make loans more affordable. These benefits are paid for by $19 billion in subsidy cuts to the student lending industry. (Differences in the Senate and House versions have yet to be reconciled; a Bush veto threat looks shaky considering the Senate's 78-to-18 margin.)

As generous as they sound, these reforms won't make college as affordable as it was even fifteen years ago. College costs have more than doubled in constant dollars since 1985. Nine-tenths of all high school students recognize the value of a college degree, yet 400,000 forgo enrollment each year because they can't afford it. Only a third of young people will earn a postsecondary degree. In 2004 two-thirds of graduates had an average $20,000 in student loan debt. Private, unsubsidized student loans have been growing at the staggering rate of 27 percent annually.

Philosophically, the most important innovation is income-based repayment. Under these new rules, those earning below 150 percent of the poverty line—about $15,000 a year for a single person—are exempt. Anyone can limit payments to 15 percent of his or her marginal income above that line. So a single mom earning $27,000 a year and owing $20,000 would pay back $80 a month, compared with more than $200 on conventional repayment plans. Taxpayers would make up the difference. After twenty-five years, all balances would be forgiven.

Income-based repayment works like systems in Northern Europe, Britain and Australia. Right now, the US system is booby-trapped. Those with large student loans and low incomes—whether because of illness, unemployment or career twists—have little recourse. Because of changes loan industry lobbyists won in 1998 and 2005, a few missed payments can

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turn into the nightmare of default, where debt balloons to four or five times the original balance. Yet there is no bankruptcy protection for either federal or private loans. College students who finance their education with student loans are making an investment that benefits themselves and society. Income-based repayment provides social backup if the personal investment doesn't pay off—or for those who become preschool teachers, social workers or enter other crucial low-wage professions.

The fattest reform target is the student lending industry, which faces recent scandals over sweeteners it offered college financial aid officers. About 77 percent of federal student loans are administered by lenders in the Federal Family Education Loan Program (FFELP), with federally guaranteed returns and guarantees against default, while the remaining 23 percent comes from the Treasury through the Direct Loan Program. Direct loans are much cheaper for taxpayers, even after these subsidy cuts.

Presidential candidates John Edwards and Barack Obama have gone on record saying the FFELP middleman should be eliminated, the original intent of Bill Clinton when he introduced direct loans in 1993. But some reformers are worried about the ability of the federal bureaucracy to administer an annual $85 billion in student loans. Others, like me, who applaud a broader federal role, are worried about the continued growth of private loans that fly under the government's radar. I would love to see the end of FFELP and its subsidy buffet. But even if there is no FFELP, financial institutions will continue to offer private education financing because it's a proven product. It seems, then, that the most efficient use of federal resources is to regulate these loans, offering subsidies to make them cheaper for students and protections to make them fairer.

The compromise proposal that made it into the bills is to treat federally guaranteed student loans like other government-backed securities: Let the market set subsidies through an auction. If banks had to compete for the right to make student loans, presumably subsidies would fall to the lowest rate the market could bear. But auctions are a tricky fix because they could be set up to favor lenders, especially in the Senate version of the bill. The question is whether the public or Congress has the patience to cut through lobbyist propaganda and tame the FFELP monster with truly competitive financing and servicing of loans.

The hottest potato, barely touched in these reforms, is tuition itself. For the first time in federal law, both bills contain provisions to increase scrutiny of colleges that raise tuition faster than the national average, but they are soft. Retired Education Department insider Jon Oberg proposes a stronger federal tack: He wants to make Pell grants contingent on colleges demonstrating that they allocate their own state and institutional funds to the students who need them most.

Well-endowed private colleges, most recently Amherst, are eliminating debt for middle-class students. But controlling tuition costs at the colleges most students attend requires bold state action. A recent proposal from Massachusetts Governor Deval Patrick for free community colleges—a return to the policies of the 1960s and '70s—is a great example of what's possible. In the end, however, it's all about trade-offs. Would you rather fire the new football coach or hike tuition another 10 percent this year? These choices won't be fun. But expanding opportunity for all demands the kind of courage exhibited back in the days of the GI Bill.

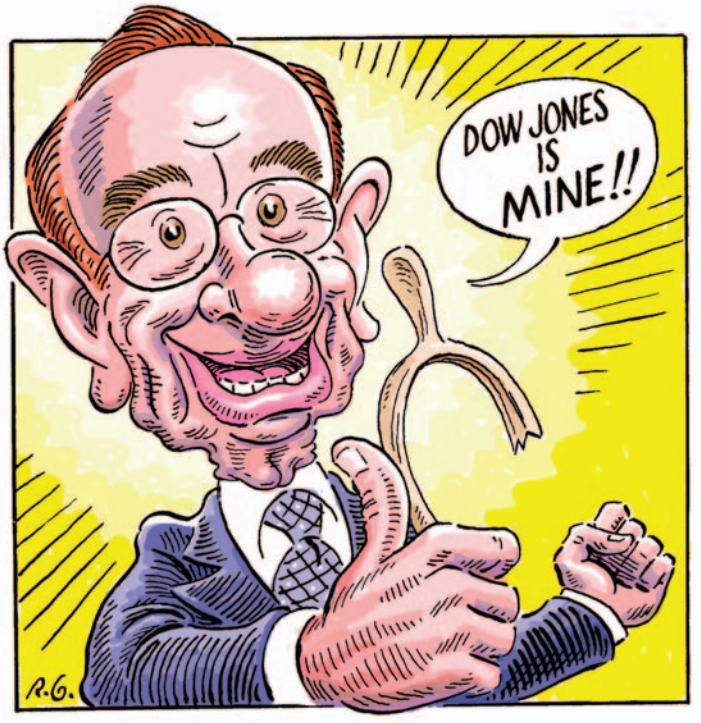
ANYA KAMENETZ

Anya Kamenetz, author of Generation Debt *(Riverhead), is the GenDebt columnist for Yahoo! Finance. She has written for the* New York Times, Fast Company *and many other publications.*

Farm Bill Showdown

The 2007 farm bill, as approved by the House on the eve of the August recess, is as shambolic a piece of legislation as will ever be OK'd by a chamber that frequently endorses the incomprehensible and the indefensible. But what is truly frustrating about the House's version of the five-year, $286 billion blueprint for everything from agriculture and food policy to trade and energy development is that this complicated mess of a measure cannot be easily hailed or condemned. On the plus side, it makes significant new commitments to encourage sustainable farming practices, fund the conversion to organic farming, strengthen food-safety protections and expand nutrition initiatives that are the essential food-policy components of this omnibus legislation. On the negative side, the House bill proposes to open gaping loopholes that would allow environmentally destructive factory farms to qualify for funding intended to help family farmers conserve the land; maintains corrupt practices that stifle competition in the livestock industry; and fails to endorse basic health-and-safety moves like banning the practice of blasting spoiled beef with

RUPERT GETS HIS WISH



ROBERT GROSSMAN

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COMMENT

carbon monoxide to make it appear wholesome.

Hovering above all the good bits and nasty pieces of the measure is that it would do little to change our corrupt system of paying subsidies to some of the wealthiest nonfarmers in the world. Nor does the House address the fact that the bulk of the money intended to maintain diverse and competitive family farms would go to a handful of Southern states that overproduce crops like rice and cotton.

The best that can be hoped for now is intervention by the Senate, where Agriculture Committee chair Tom Harkin says, "We can't afford to settle for an extension of the status quo—not in terms of budget, and not in terms of policy." But for that to happen, we need to broaden the public discussion at a time when, as Representative Rosa DeLauro says, "too many Americans know too little about the farm bill and its impact on our lives."

The fact that debate about farm and food policy plays out on the margins of the national discourse, thanks to media that treat rural America as a punch line, makes it too easy for politicians and interest groups to distort the discussion. For instance, House Speaker Nancy Pelosi can get away with her absurd claim that the House bill is "reform" that "takes America's farm policy in a new direction." Not true. The Speaker chose the status quo over innovative proposals by author Michael Pollan, chef Alice Waters and savvy policy groups like Food and Water Watch and the Institute for Agriculture and Trade Policy to stop pouring federal dollars into the coffers of agribusiness, establish a real safety net for working farmers, protect the environment and encourage the production of healthy foods. But just as Pelosi is wrong to dub herself a reformer, so too are the editorial writers and Washington think-tank gurus who grumble about the rejection of their favored "reform." The plan so beloved by those so distant from rural America—a scheme by Representatives Ron Kind and Jeff Flake to establish the farming equivalent of the "individual retirement accounts" promoted by those who would destroy Social Security—failed because farm and consumer groups saw through its false promise of "market solutions."

Rejecting real reform as well as false promises, Pelosi backed a "Christmas tree" measure, which offered something for everyone—from agribusiness to Congressional Black Caucus members seeking long-overdue justice for minority farmers to consumer groups that want country-of-origin labeling on meat—then played on the fears of urban House members who know less about countercyclical payments than about crop circles. To maintain their House majority, Democrats voted for a bill Pelosi told them would re-elect vulnerable farm-state Democrats—including nine freshmen on the Ag Committee.

That may be shrewd politics. But it's foolish policy. So now it falls to Harkin to cobble together an alternative measure that can pass the Senate, survive a messy reconciliation of House and Senate plans and then overcome a threatened presidential veto. That's probably too tall an order. But Harkin recognizes what needs to be done. He's a passionate supporter of nutrition and conservation programs, he wants a tight cap on federal payments so they don't go to millionaire "farmers" and he recognizes that the United States should do away with direct subsidies that fail most farmers, consumers and the environment.

As he shapes the Senate version of the farm bill, Harkin should embrace the proposal of three dozen farm and rural groups—led by the National Family Farm Coalition and the Institute for Agriculture and Trade Policy—and their labor, religious and environmental allies. They want to replace subsidies with a federally defined price floor that would in effect be a minimum wage for farmers and to reinstate strategic grain reserves to stabilize crop prices. Harkin should listen to Iowa farmer George Naylor, who serves as president of the farm coalition and who says it is still possible—and politically smart—to forge a farm and food bill that "will benefit family farmers by giving them a fair price for what they produce instead of continuing with ineffective subsidies that have failed rural America." JOHN NICHOLS

CALVIN TRILLIN

Disappointment in Iowa

Just 19 percent of likely GOP caucus attendees said they were "very satisfied" with the field of candidates.
—Washington Post

Though Romney—Flawlessman—is in the lead,
So polished that he might not sweat or bleed,
The average Iowa voter sometimes balks
At voting for a mannequin that talks.
And John McCain—yes, he of straight talk fame—
Seems much too willing now to play the game.
He felt the call of Regent U. and went;
Since then, his straight talk seems a little bent.
And Giuliani, who derives his powers
From terrorists' destruction of the towers?
Through how he's dissed his family they're seeing
That Rudy is a dreadful human being.
Some shrinks might say when shove now comes
to push,
They're simply yearning to retain George Bush.

Sacco & Vanzetti Today

On the night of August 23, 1927, Nicola Sacco and Bartolomeo Vanzetti, two Italian immigrants and revolutionary anarchists, the former a heel-trimmer and the latter an unskilled laborer, were executed in Massachusetts. It was an awful end to an unprecedented seven-year legal and political battle that put American justice on trial and involved political leaders, social activists, public intellectuals, religious figures, artists, workers and countless ordinary people, Americans and non-Americans.

The case against Sacco and Vanzetti—who pleaded their

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COMMENT

innocence and were tried while seated in a barred metal cage—was flimsy at best and tainted by the open prejudice of judge and jury. Accused of being part of a gang of bandits that carried out the April 15, 1920, robbery and murder of a factory paymaster and his guard in South Braintree, an industrial suburb of Boston, they were convicted in July 1921. The verdict and subsequent death sentence were upheld by the Massachusetts Supreme Court, approved by a special advisory commission to Governor Alvan Fuller led by Harvard president A. Lawrence Lowell and, at the moment of truth, tacitly sanctioned by laissez-faire President Calvin Coolidge and progressive Supreme Court Justices Oliver Wendell Holmes, Louis Brandeis and Harlan Stone.

But the executions did not go over silently. In Boston and New York thousands of supporters gathered, despite oppressive police guard, in somber "death watches." Throughout Latin America, general strikes were held and grown men and women wept in the streets, many screaming for vengeance. In Paris, London, Geneva, Berlin and several other European cities, furious demonstrators rioted and clashed with police, many of them ending up in prisons and hospitals. Coolidge was on his summer holiday, fishing for trout in the Dakotas.

Sacco and Vanzetti had come a long way. In 1920 they were anonymous aliens who knew practically no English; by 1927 they were international celebrities with famous friends and correspondents from New York to Shanghai to Paris. While their 1921 trial was dismissed by one reporter as "no story… just a couple of wops in a jam," six years later they were constant headline news the world over. Perhaps no other event until the Vietnam War evoked as much anti-American sentiment among non-Americans who were otherwise prone to hold a favorable view of the United States. Even in supposedly frivolous late-1920s America, opinion was bitterly divided. Publisher Robert Lincoln O'Brien swore that Americans had not seen such controversy since the days of slavery. Edmund Wilson believed the case "revealed the whole anatomy of American life, with all its classes, professions, and points of view, and raised every fundamental question of our political and social system." To some, Sacco and Vanzetti were reincarnations of the executed radical abolitionist John Brown or even of Jesus Christ; to others, America's version of Alfred Dreyfus. These Americans found the executions as horrifying as the trial had been unjust. "We are shaken to the core," wrote the editors of *The Nation*, Oswald Garrison Villard and Freda Kirchwey. The executions were "a judicial murder" that "struck at the reputation of the whole nation" and "everywhere strengthened all those who believe that the world can be reformed only by bombs and bloodshed." To another group of Americans—for whom the Sacco-Vanzetti affair was the invention of foreigners and eggheads—the executions came as a relief; for a while, it had looked as though the authorities would give in to the demands of evildoing international "terrorists." "The Sacco-Vanzetti case," wrote the editors of the *Boston Transcript*, "has been the vehicle of vicious propaganda…radicals the world over saw an opportunity to further their cause. Without their meddling interference the case never would have assumed unusual proportions." But Americans "could not pay the slightest attention to European protests or the sentiments voiced by the journals and public men of distant lands."

Eighty years after their deaths, Sacco and Vanzetti continue to occupy pretty much the same set of roles in the political imagination as they did in 1927. For many, they were the innocent victims of America's first ill-conceived "war on terror," their execution a terrible injustice rooted in the fear of immigrants, persecution of radicals and oppression of workers, all in high tide after World War I—when being proletarian, Italian *and* an anarchist was a suicidal cocktail, perhaps the equivalent of being labeled an "enemy combatant" today. For others, they were criminals and terrorists who benefited from a worldwide propaganda campaign led by people who despised America and its institutions.

These two perceptions are both based primarily on a belief either in the men's innocence or guilt (the first question any Sacco-Vanzetti scholar is always asked is "So, did they do it?"). Bruce Watson's new book, *Sacco & Vanzetti: The Men, the Murders, and the Judgment of Mankind*, is a good example of this obsession: It is the most thorough and readable plumbing yet of the Case Record, and although the author devotes substantial attention to the inescapable question of guilt or innocence, he does not (and cannot) provide a final answer. It is time to face facts: Despite the extensive study of the evidence, we are no closer to a resolution now than we were in the 1920s. We will never definitely know whether Sacco and Vanzetti actually "did it." What *is* clear, and more important, is that their trial was highly unfair and their execution an intolerable act of barbarism.

Sacco and Vanzetti, it seems, have become iconic but somewhat abstract figures, symbols of persecution and injustices of all sorts. But their place in our civic life is not at all clear. Perhaps it never will be, as long as people continue to focus on the men's guilt or innocence rather than on the deeper meanings of their story (in the Dreyfus affair in France, things were clearer—both opponents and supporters of the Jewish army officer knew he was innocent). There are more penetrating questions to ask. The Sacco-Vanzetti affair remains a matter of interest because it presents us with so many eerie and sobering connections to the present. Terrorism, justice and injustice, jingoism, isolationism, radicalism and the treatment of immigrants and minorities are concerns as central today as they were in Sacco and Vanzetti's time. Ultimately, their execution revealed how fractured the relationship between America and the rest of the world had become. Villard and Kirchwey, pleading in *The Nation* for Sacco and Vanzetti's lives, asked the authorities to pay a "decent respect to the opinions of mankind." Then, as now, too many Americans in power were determined to forge ahead with a bad decision because they thought to change course would have meant showing weakness and giving in to foreigners. Since 1927, one fears, too little has changed.

MOSHIK TEMKIN

Moshik Temkin teaches American history at the École des Hautes Études en Sciences Sociales in Paris. His book on the Sacco-Vanzetti affair is forthcoming from Yale University Press.

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ALEXANDER COCKBURN

How the Democrats Blew It in Only 8 Months

Led by Democrats since the start of this year, Congress now has a "confidence" rating of 14 percent, the lowest since Gallup started asking the question in 1973 and five points lower than Republicans scored last year.

The voters put the Democrats in to end the war, and it's escalating. The Democrats voted the money for the surge and the money for the next $459.6 billion military budget. Their latest achievement was to provide enough votes in support of Bush to legalize warrantless wiretapping for "foreign suspects whose communications pass through the United States." Enough Democrats joined Republicans to make this a 227-183 victory for Bush. The Democrats control the House. Speaker Nancy Pelosi could have stopped the bill in its tracks if she'd wanted to. But she didn't. The Democrats' game is to go along with the White House agenda while stirring up dust storms to blind the base to their failure to bring the troops home or restore constitutional government.

The row over the US Attorneys and the conduct of Attorney General Alberto Gonzales has always been something of a typhoon in a teaspoon. The Democrats love it, since they imagine it portrays them to the public as resolute guardians of the impartial administration of justice, a concept whose credibility most Americans sensibly deride. The Democrats now plan to track Gonzales's firing of the US Attorneys back to that comic opera villain of the Bush era, Karl Rove, another great provoker of dust storms.

The one Democrat acting on principle in the Gonzales affair has been Senator Russ Feingold. He at least tried to dig into the visit of chief White House counsel Gonzales, as he then was, to the bedside of Attorney General John Ashcroft, to get him to sign off on the illegal wiretaps. And how did the Democrat-controlled Congress deal with Feingold's efforts to nail Gonzales for his efforts to undermine the Constitution and for his prevarications under oath? It promptly legalized the eavesdropping.

Just as the Democrats work tirelessly to demonstrate to the voters that it makes zero difference which party controls Congress, the political establishment forces all candidates for the presidential nomination to sever any compromising ties to sanity and common sense.

Right now they're hosing down Barack Obama because he said in the YouTube debate in South Carolina that he would be prepared to meet with Kim Jong Il, Hugo Chávez, Mahmoud Ahmadinejad and Fidel Castro to hash over problems face to face. The pundits whacked him for demonstrating "inexperience." Experienced leaders order the CIA to murder such men.

Then Obama drew even fiercer fire by saying he would take nukes off the table in the war on terrorism in Afghanistan and Pakistan. "I think it would be a profound mistake for us to use nuclear weapons in any circumstance," Obama told the AP on August 2, adding, after a pause, "involving civilians." Then he quickly said, "Let me scratch that. There's been no discussion of nuclear weapons. That's not on the table."

I'm beginning to respect this man. He displays sagacity well beyond the norm for candidates seeking the Oval Office. He comprehends, if only in mid-sentence, that when you drop a nuclear bomb, it will kill civilians. He also realizes that strafing Waziristan with thermonuclear devices in the hopes of nailing Osama bin Laden is a foolish way to proceed.

So Obama is being flayed for his "inexperience," first and foremost by Hillary Clinton, who permits no table setting that does not include a couple of nuclear weapons next to the sugar bowl. To recoup, Obama has declared his readiness as Commander in Chief to order US forces to hotly pursue Osama into Pakistan, whatever the government of Pakistan might think of this onslaught on its sovereignty.

Has the left the capacity to influence the conduct of the Democrats? In terms of substantive achievement the answer thus far has been no. People didn't like it when I wrote here a month ago that the antiwar movement was at a low ebb. They invoke the polls showing that 70 percent of Americans want the troops to come home. This is presumptuous, like a barking dog claiming it made the moon go down. It didn't take an antiwar movement to make the people antiwar. People looked at the casualty figures and the newspaper headlines and drew the obvious conclusion that the war is a bust. Their attention is already shifting to the economic crisis: housing meltdown, car sales meltdown, credit crisis, threats from the Chinese to destroy the dollar. What war?

The left is as easily distracted, currently by the phantasm of impeachment. Why all this clamor to launch a proceeding surely destined to fail, aimed at a duo who will be out of the White House in sixteen months? Pursue them for war crimes after they've stepped down. Mount an international campaign of the sort that has Henry Kissinger worrying at airports that there might be a lawyer with a writ standing next to the man with the limo sign. Right now the impeachment campaign is a distraction from the war and the paramount importance of ending it.

For sure, there are actions around the country: Quakers and Unitarians picketing outside shopping centers, campus vigils, resolutions by city councils and so forth. It's all pretty quiet, in a conflict that has now—as my brother Patrick recently pointed out—gone on longer than the First World War. At the liberal blogger convention, Yearly Kos, held the first weekend in August, the organizers nixed any serious strategy session on the war. John Stauber of PR Watch had to force an impromptu (and very successful) session with leaders of the Iraq Veterans Against the War.

A war people hate, Gitmo, Bush's police-state executive orders of July 17—the Democrats have signed the White House dance card on all of them. And guess what? Just as their poll numbers are going down, Bush's are going up, by five points in Gallup from early July. People are beginning to think the surge is working, courtesy of the *New York Times*. So are we better or worse off since the Democrats won back Congress? ■

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KATHA POLLITT

Who's Sorry Now?

In the months leading up to the invasion of Iraq, there was no more effective intellectual spokesperson for war than then–Harvard professor Michael Ignatieff. Not for him the contemptuous brawling of Christopher Hitchens or the smooth triumphalism of William Kristol. Pained, sensitive, with the star professor's gift of seeming to wrestle with his thoughts right there in front of you, Ignatieff made the case for war as a humanitarian and human-rights mission: We had to save the Iraqis from Saddam. For supporters of democracy and idealists of all stripes, this was a very persuasive argument.

Four years, four months and seventeen days after bombs began falling on Baghdad, Ignatieff, who left Harvard to become deputy leader of Canada's Liberal Party, has finally joined the long parade of prowar commentators who've publicly acknowledged their mistake. On August 5 *The New York Times Magazine* carried his long, woolly, pompous pseudo-confession "Getting Iraq Wrong: What the War Has Taught Me About Political Judgment." Wandering among references to Isaiah Berlin, Churchill, Roosevelt, de Gaulle, Beckett, Burke and Kant, Ignatieff distinguishes between the experimental, enthusiastic mindset natural to academics (himself then) and the "good judgment" and "prudence" required of political leaders (himself now). He thought politics was about all that high-minded stuff he taught at Harvard and let himself get carried away by his sympathy for Iraqi exiles. In other words, Michael Ignatieff supported the war because he was just too smart and too good for this fallen world.

Never mind that most academics opposed the war, especially if they actually knew something about the Middle East and were foreign policy "realists," like Ignatieff's peers Stephen Walt and John Mearsheimer. Once, just once, I'd like to see a repentant war proponent acknowledge in a straightforward, non-weaselly way that Howard Zinn, Noam Chomsky, Scott Ritter, Code Pink and, yes, *The Nation*—to say nothing of the millions around the world who demonstrated so ardently against the war—got it right. But no: "Many of those who correctly anticipated catastrophe did so not by exercising judgment but by indulging in ideology," Ignatieff writes. "They opposed the invasion because they believed the President was only after the oil or because they believed America is always and in every situation wrong."

Excuse me while I set myself on fire. I remember the run-up to the invasion very well, and "It's all about oil" and "America is always wrong" were hardly the major arguments on the table. Since Ignatieff must know this—surely he listened to Mark Danner and Robert Scheer when he teamed with Hitchens to debate them at UCLA—his calumny is not only self-serving, it's disingenuous.

Let's review. You wouldn't know it from Ignatieff's piece, but Bush's stated reason for war was not the liberation of the Iraqi people; it was that Saddam Hussein promoted terrorism, colluded with Al Qaeda, possessed WMDs and presented an immediate threat to the United States. Long before the war there was quite a bit of evidence that none of this was true. Were Hans Blix and Mohammed ElBaradei ideologues who hated America? Remember the yellowcake, the aluminum tubes, the Niger documents the International Atomic Energy Agency determined were forgeries? It was possible to say, and many did, that Saddam was a murderous tyrant but that unilateral pre-emptive war against a country that presented no threat was a dangerous upending of settled international law.

Other excellent reasons for opposing the war:

Fear of humanitarian disaster. True, catastrophe didn't come entirely or right away in the form antiwar commentators feared—hand-to-hand combat in the streets of Baghdad, displaced millions, famine, civil war, a spreading regional conflict. Still, whose prediction is closer to today's reality: those like Ignatieff, who saw a brief war followed by democracy and prosperity under the auspices of Ahmad Chalabi, or those, despised at the time as Chicken Littles, who saw invasion unleashing mayhem and ruin and displacement?

Why Saddam? Saddam was an evil dictator, but Iraq was not the world's only human-rights basket case. What about Iran, North Korea, Sudan, Saudi Arabia, Zimbabwe, Congo, Burma? What about the Russians in Chechnya and the Chinese in Tibet? A lot of people just didn't believe we were invading Iraq either to bring democracy or to protect ourselves from terrorism. They noted that invading Iraq was on the neocon agenda long before 9/11. They thought the real rationale for war had to be something else—setting up bases in Iraq, or protecting Israel or, yes, controlling the oil. We may never know the real motives for the war, but why is it "ideological" to suspect that securing the world's most important resource was somewhere in the mix?

Low odds of success. At NYU a few weeks before the war, exiled Iraqi writer Kanan Makiya gave a prowar speech so moving it made die-hard opponents of invasion feel like heartless cowards. But even he admitted that the odds of success were only 5 percent; there were nineteen chances in twenty that the invasion would go horribly wrong. A lot of people who might have supported the war if they believed it would be quick and easy—as, at the time, the occupation of Afghanistan seemed to be—opposed it because it looked too uncertain, too dangerous, too much like Vietnam.

Distrust of Bush, Cheney and the neocons. Ignatieff doesn't even mention the makers of the war until the end of his article, and then only to note Bush's simplistic reliance on the rightness of his motives. But lots of people just didn't believe the Administration's evidence or trust its stated reasons. As with the 2000 election, they smelled a rat. I remember thinking, Why do we have to do this right *now*? Because the troops are there and soon it will be too hot didn't seem like a good answer. The neocons actually fit Ignatieff's caricature of fantasizing, deluded intellectuals pretty well. This time, he and the ideologues were on the same side.

For good judgment and prudence—to say nothing of realism and intellectual modesty—the opponents of invasion win hands down. It would be nice if the mainstream media acknowledged that. ■

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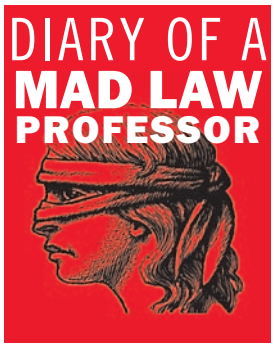
PATRICIA J. WILLIAMS

The Protect Alberto Gonzales Act of 2007



I don't get it. All summer we listened to incoherent testimony from the Attorney General of the United States. Alberto "prohibitions against torture are quaint" Gonzales, the guy who believes "there is no express grant of habeas in the Constitution," had tried to bully a near-comatose John Ashcroft into OK-ing a secret warrantless wiretapping program that illegally spied on citizens. Gonzales's general uncooperativeness was so great that there was loud Congressional discussion of censure or even impeachment.

Yet here we are, only a few weeks after all the brouhaha about his fronting for President Bush's pursuit of an ever more secretive unitary executive—and Congress passes a law that legalizes precisely the kind of warrantless wiretapping the Bush Administration, through Gonzales, was seeking. The Protect America Act of 2007, or Section 1927 of the Foreign Intelligence Surveillance Act (FISA), starts with a clever limitation of the meaning of "electronic surveillance." To provide a little background, "electronic surveillance" has always been characterized as a domestic police power that requires a warrant issued by a court in order to protect the privacy interests of citizens. Foreign intelligence gathering, on the other hand, is not covered by FISA—i.e., no warrant necessary—the underlying rationale being that noncitizens who are threats to national security need not be accorded a right to privacy. This general objective is controversial, but let's allow that it is reasonable enough as an overarching proposition. The new law, by contrast, effectively removes the expectation of rights distinguishing citizens from noncitizens, as well as collapses the wall between the furtive functions of foreign intelligence gathering and the public accountability constitutionally mandated in domestic law enforcement.

The problem the law ostensibly seeks to address is that many of the fiber-optics nodes through which global telecommunications flow are located here in the United States. Should we require a warrant to monitor parties located outside the country whose text messages pass through a phone center in California? This is an interesting legal issue, but the pressing conundrum raised by the breadth of Section 1927 is whether the realities of modern technology require American citizens to forsake any expectations of privacy as a consequence. Some would say yes. In an op-ed in the *Los Angeles Times*, David Rivkin Jr. and Lee Casey, former Justice Department officials under Reagan and Bush I, argue: "Our privacy is compromised daily by government and nongovernment actors. This is the price of living in a modern society. The real question is how to strike the balance. Americans may, for example, be subject to physical search without a warrant or judicial oversight whenever they leave or enter the United States. The same should apply to electronic communications coming into or going out of the United States; they should not be subject to a more stringent rule."

This sounds fair until you realize that every time you call a customer hot line or directory assistance there's a good chance you've been switched to someone in India or the Philippines. So the reality is that Section 1927 offers nothing like "balance" when it comes to phone or computer privacy. It allows for blanket data-mining of any and all electronic and telephonic communication by anyone, anywhere, whether chatting with a spouse, shopping for sex toys, making a doctor's appointment or confessing to a priest. And even if airport searches target dangerous objects, we do not thereby license airlines to indiscriminately search through our wallets, read our diaries or Xerox the contents of our briefcases.

You say you want to sue? Section 1927 excludes from judicial oversight all "surveillance directed at a person reasonably believed to be located outside of the United States." Technically, the term "person" includes citizens, even though media summaries discuss it as though it applies only to foreigners. Furthermore, anyone can be the object of investigation so long as it is "significantly" related to foreign intelligence—the substantiality of that relationship to be determined by our delightful Attorney General in tandem with the director of national security.

Paradoxically, the notion of "significance" is not connected to any outside review of substance. Indeed, the certification of data collection need not "identify the specific facilities, places, premises, or property at which the acquisition of foreign intelligence information will be directed." Rather, the executive must simply present a set of "procedures…reasonably designed to ensure that acquisitions" are within the exception to FISA. "The court's review shall be limited to whether the Government's determination is clearly erroneous." But it is hard to imagine how a court could ever find specific improprieties in information-gathering if it can't consider substance. Procedures are rarely "clearly" wrong in the abstract: It's the application wherein trouble lies.

If, however, there were a judicial finding of clear error under Section 1927, the executive could then appeal all the way to the Supreme Court; and any surveillance would be allowed to "continue during the pendency of any appeal." Even assuming that the Supreme Court did strike down a particular operation, the law eliminates any cause of action—possibly even malicious prosecutions—"against any person for providing any information, facilities, or assistance in accordance with a directive under this section." Apparently the government claims a right to privacy (i.e., secrecy) even as it withdraws that right from its citizens.

According to Rivkin and Casey, however, 1927 isn't broad enough. They reject the notion of "a judicial imprimatur to the procedures used to intercept" what they and the Bush Administration wrongly characterize as exclusively overseas communications. They suggest that even the very limited power of courts to review procedures under 1927 exceeds the judicial limitation to individual cases, controversies and the issuance of warrants. I predict that this is an issue the Administration would like to see go before the Supreme Court. Any bets about what the Roberts Court would say about that swipe at checks and balances? ■

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ARTICLES

THE NAFTA SUPERHIGHWAY

IT'S BIG. IT'S SCARY. BUT IS IT REAL?

by CHRISTOPHER HAYES

When completed, the highway will run from Mexico City to Toronto, slicing through the heartland like a dagger sunk into a heifer at the loins and pulled clean to the throat. It will be four football fields wide, an expansive gully of concrete, noise and exhaust, swelled with cars, trucks, trains and pipelines carrying water, wires and God knows what else. Through towns large and small it will run, plowing under family farms, subdevelopments, acres of wilderness. Equipped with high-tech electronic customs monitors, freight from China, offloaded into nonunionized Mexican ports, will travel north, crossing the border with nary a speed bump, bound for Kansas City, where the cheap goods manufactured in booming Far East factories will embark on the final leg of their journey into the nation's Wal-Marts.

And this NAFTA Superhighway, as it is called, is just the beginning, the first stage of a long, silent coup aimed at supplanting the sovereign United States with a multinational North American Union.

Even as this plot unfolds in slow motion, the mainstream media are silent; politicians are in denial. Yet word is getting out. Like *samizdat*, info about the highway has circulated in niche media platforms old and new, on right-wing websites like *WorldNetDaily*, in the pages of low-circulation magazines like the John Birch Society's *The New American* and increasingly on the letters to the editor page of local newspapers.

"Construction of the NAFTA highway from Laredo, Texas to Canada is now underway," read a letter in the February 13 *San Gabriel Valley Tribune*. "Spain will own most of the toll roads that connect to the superhighway. Mexico will own and operate the Kansas City Smart Port. And NAFTA tribunal, not the U.S. Supreme Court, will have the final word in trade disputes. Will the last person please take down the flag?" There are many more where that came from. "The superhighway has the potential to cripple the West Coast economy, as well as posing an enormous security breach at our border," read a letter from the January 7 *San Francisco Chronicle*. "So far, there has been no public participation or debate on this important issue. Public participation and debate must begin now."

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In some senses it has. Prompted by angry phone calls and e-mail from their constituents, local legislators are beginning to take action. In February the Montana state legislature voted 95 to 5 for a resolution opposing "the North American Free Trade Agreement Superhighway System" as well as "any effort to implement a trinational political, government entity among the United States, Canada, and Mexico." Similar resolutions have been introduced in eighteen other states as well as the House of Representatives, where H. Con Res. 40 has attracted, as of this writing, twenty-seven co-sponsors. Republican presidential candidates in Iowa and New Hampshire now routinely face hostile questions about the highway at candidate forums. Citing a spokesperson for the Romney campaign, the *Concord Monitor* reports that "the road comes up at town meetings second only to immigration policy."

GOP presidential candidates in Iowa and New Hampshire routinely face hostile questions about the highway at candidate forums.

Grassroots movement exposes elite conspiracy and forces politicians to respond: It would be a heartening story but for one small detail.

There's no such thing as a proposed NAFTA Superhighway.

Though opposition to the nonexistent highway is the cause célèbre of many a paranoiac, the myth upon which it rests was not fabricated out of whole cloth. Rather, it has been sewn together from scraps of fact.

Take, for instance, North America's SuperCorridor Organization (NASCO), a trinational coalition of businesses and state and local transportation agencies that, in its own words, focuses "on maximizing the efficiency of our existing transportation infrastructure to support international trade." Headquartered in borrowed office space in a Dallas law firm, the organization, which has a full-time staff of three, advocates for increased public expenditure along the main north-south Interstate routes, including new high-tech freight-tracking technology and expedited border crossings. It has had some success, landing federal money to pilot cargo management technologies and winning praise from the Bush Administration. Speaking at a NASCO conference in Texas in 2004, then–Transportation Secretary Norman Mineta congratulated the organization for its efforts. "The people in this room have vision," Mineta said. "Thinking ahead, thinking long term, you began to make aggressive plans to develop…this vital artery in our national transportation system through which so much of the NAFTA traffic flows. It flows across our nation's busiest southern border crossing in Laredo; over North America's busiest commercial crossing, the Ambassador Bridge in Detroit; and through Duluth and Pembina, North Dakota, and all the places in between."

A few years ago NASCO put on its home page a map of the United States that more or less traced the flow that Mineta describes: Drawn in bright blue, the trade route begins in Monterrey, Mexico, runs up I-35 and branches out after Kansas City, along I-29 toward Winnipeg and I-94 toward Detroit and Toronto. The colorful, cartoonlike image seemed to show right out in the open just where NASCO and its confederates planned to build the NAFTA Superhighway. It began zipping around the Internet.

The organization soon found itself besieged with angry phone calls and letters. "I think the rumor going around was that this map was a blueprint and it was drawn to scale," says NASCO executive director Tiffany Melvin. (Given the size of the route markings, that would have heralded highways fifty miles wide.) Ever since the map went live, NASCO has spent a considerable amount of time attempting to refute charges like those made by right-wing nationalist Jerome Corsi, whose recent book *The Late Great USA* devotes several pages to excoriating NASCO for being part of the vanguard of the highway and the coming North American Union. Until recently, NASCO's website contained the following FAQs:

Is NASCO a part of a secret conspiracy?

Absolutely not… We welcome the opportunity to share information about our organization.…

Will the NAFTA Superhighway be four football fields wide?

There is no new, proposed NAFTA Superhighway.…

Is the map on the website an approved plan for the proposed NAFTA Superhighway?

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There is no proposed, new NAFTA Superhighway.

But NASCO is just one part of what Corsi and his ilk view as a grand conspiracy. There's also a federal initiative called the Security and Prosperity Partnership (SPP), which they portray as a Trojan horse packed with globalists scheming to form a European Union–style governing body to manage the entire continent. The reactions of those in SPP to this characterization seem to range from bemusement to alarm. "There is no NAFTA Superhighway," Assistant Secretary of Commerce for Market Access and Compliance David Bohigian told me emphatically over the phone. Initiated in 2005, the SPP is a relatively mundane formal bureaucratic dialogue, he says. Working groups, staffed by midlevel officials from all three countries, figure out how to better synchronize customs enforcement, security protocols and regulatory frameworks among the countries. "Simple stuff like, for instance, in the US we sell baby food in several different sizes; in Canada, it's just two different sizes."

Another star in the constellation of North American Union conspiracies is the Mexican deep-water port of Lázaro Cárdenas. Located on the Pacific coast of the state of Michoacan, the port is undergoing a bonanza of investment and upgrades. According to a 2005 article in *Latin Trade*, the

Christopher Hayes, a Nation *contributing writer and a Puffin Foundation Writing Fellow at The Nation Institute, is a senior editor of* In These Times.

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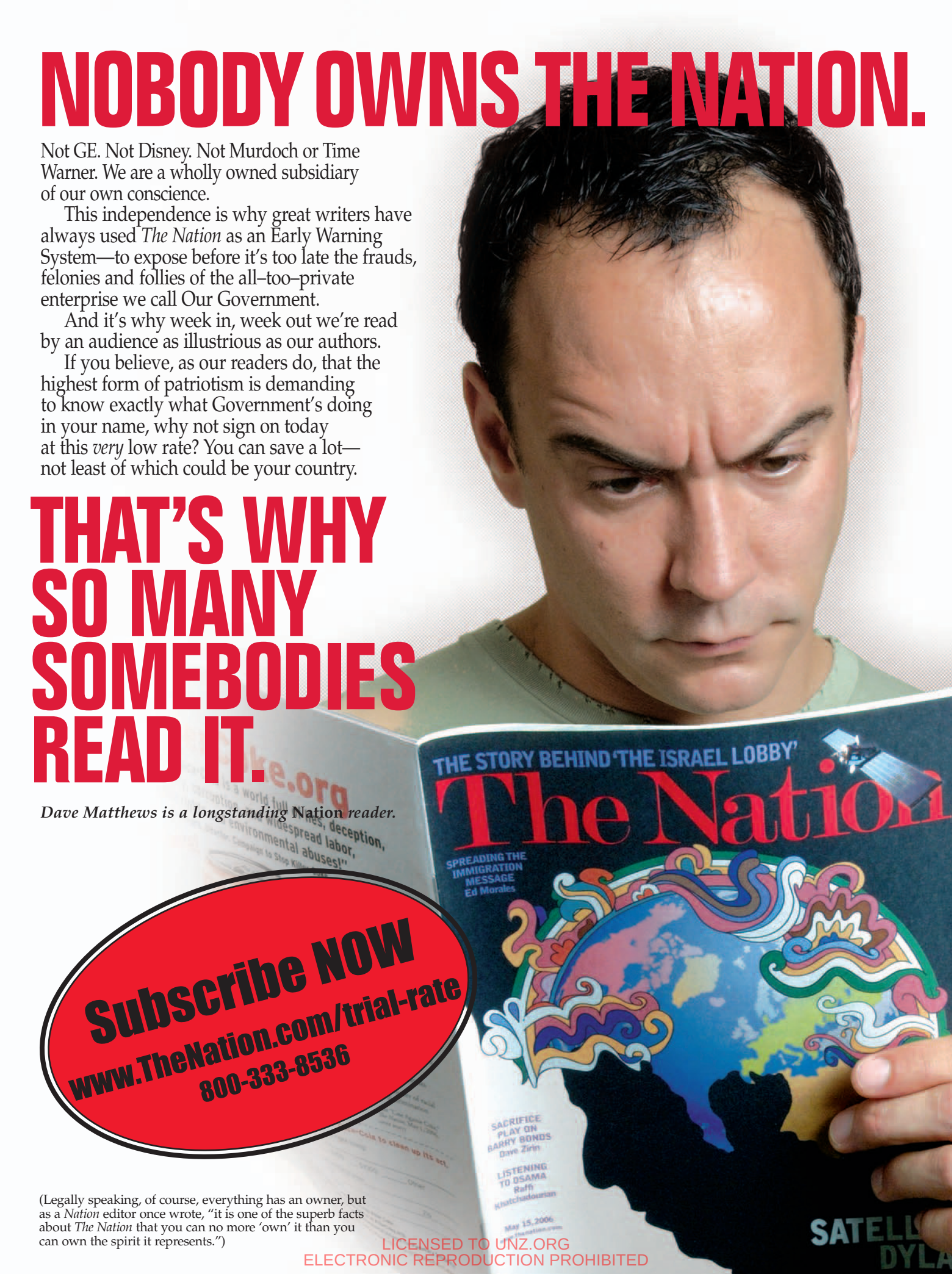

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port is adding a terminal that could provide enough capacity to process nearly all of the cargo that comes into Mexico, making it "the logical trade route connecting the United States and Asia," in the words of the Mexican officials overseeing its overhaul. Since it's the only Mexican port deep enough to handle Super Panamax container ships from China—the most efficient means of shipping products across the Pacific—it's an attractive alternative to the ports of Los Angeles and Long Beach, which are unionized and increasingly congested. (More than 80 percent of Asian imports come in through these two ports.)

Of course, if cargo switches from Los Angeles to Lázaro Cárdenas, more and more manufactured goods will have to travel through Mexico to reach their US destination, and there will be a significant uptick in the northbound overland traffic. The Kansas City Southern Railroad company is already betting on that eventuality, spending millions of dollars to purchase the rail routes that run from the port up to Kansas City. At the same time, a business improvement group called Kansas City SmartPort, whose members include the local chamber of commerce, is pushing for Kansas City, which is already a transportation hub, to transform itself fully into a "smart port," a kind of intermodal transportation and cargo center. The group recently advocated a pilot program that would place a Mexican customs official in Kansas City to inspect Mexico-bound freight, relieving bottlenecks at the border. The notion of a Mexican customs official on American soil fired the imaginations of those already disposed to see a North American Union on the horizon, and SmartPort staff have been fending off angry inquiries ever since.

The myth of the NAFTA highway persists because it taps into anxieties about the dizzying dislocations of twenty-first-century capitalism.

In his essay "The Paranoid Style in American Politics," Richard Hofstadter famously sketched the contours of the American tradition of folk conspiracy—a tradition that has, at different times, seen its enemy in Masons, Jesuits, immigrants, Jews and Eastern bankers. There's certainly a strong continuity between that tradition and the populist/nationalist ire that drives the NAFTA highway myth. Hofstadter's original essay was motivated in part by the activities of the John Birch Society, which today is one of the leading purveyors of the highway myth.

But there's something more. The myth of the NAFTA Superhighway persists and grows because it taps into deeply felt anxieties about the dizzying dislocations of twenty-first-century global capitalism: a nativist suspicion of Mexico's designs on US sovereignty, a longing for national identity, the fear of terrorism and porous borders, a growing distrust of the privatizing agenda of a government happy to sell off the people's assets to the highest bidder and a contempt for the post-national agenda of Davos-style neoliberalism. Indeed, the image of the highway, with its Chinese goods whizzing across the border borne by Mexican truckers on a privatized, foreign-operated road, is almost mundane in its plausibility. If there was a NAFTA highway, you could bet that Tom Friedman would be for it—what could be more flattening than miles of concrete paved across the continent?—and Lou Dobbs would be zealously opposed. In fact, Dobbs has devoted a segment of his show to the highway, its nonexistence notwithstanding. "These three countries moving ahead their governments without authorization from the American people, without Congressional approval," he said. "This is as straightforward an attack on national sovereignty as there could be outside of war."

Though the story of the highway has been seeded and watered in the fertile soil of the nationalist right wing—promoted by Birchers and Corsi, co-author of the Swift Boat Veterans for Truth's book about John Kerry—it also stretches across ideological and partisan lines. Like immigration and the Dubai ports deal, it divides the Republican coalition against itself, pitting the capitalists against the nationalists. And more than a few on the center-left have voiced criticisms as well: Teamsters president James Hoffa wrote in a column last year that "Bush is quietly moving forward with plans…for what's known as a NAFTA superhighway—a combination of existing and new roads that would create a north-south corridor from Mexico to Canada.… It would allow global conglomerates to capitalize by exploiting cheap labor and non-existent work rules and avoiding potential security enhancements at U.S. ports." Democratic Congresswoman Nancy Boyda, from eastern Kansas, invoked its specter early and often in her improbably successful 2006 campaign against Republican incumbent Jim Ryun. A campaign circular inserted in local newspapers warned that "if built, this 'Super Corridor' would be a quarter-mile wide and longer than the Great Wall of China." Boyda told me that her attacks on the highway "hit a real nerve because enough people had the same concerns."

What might at first have been a niche obsession has bled, slowly but surely, toward the mainstream. "The biggest problem of these conspiracy theorists," says Robert Pastor, a professor of international relations at American University and a leading proponent of increased North American integration, "is that they are having an effect on the entire debate."

Add up all the above ingredients—NASCO, SPP, Lázaro Cárdenas, the Kansas City SmartPort, the planned pilot program allowing Mexican truckers to drive on US roads—and you still don't have a superhighway four football fields wide connecting the entire continent. Which is why understanding the persistence of the NAFTA highway legend requires spending some time in Texas, where Governor Rick Perry and his longtime *consigliere*, Texas Department of Transportation commissioner Ric Williamson, are proposing the $185 billion Trans-Texas Corridor (TTC), 4,000 miles of highway, rail and freight corridors, the first of which would run up from the border through the heavily populated eastern part of the state. Plans for the TTC call for it to be up to four football fields wide at points, paving over as much as half a million acres of Texas countryside. The first section will be built and operated by a foreign enterprise, and when completed it would likely be the largest privatized toll road in the country.

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And unlike the NAFTA highway, the Trans-Texas Corridor is very, very real.

In 2003, amid a dramatic drawn-out battle over a legally questionable GOP redistricting plan, the Texas state legislature passed House Bill 3588. At 311 pages, it's unlikely that many of those who voted for the bill had actually read it (and many have come to regret their vote), but it received not a single opposing vote. The bill granted the Texas Transportation Commission wide latitude to pursue a long-term plan to build a series of corridors throughout the state that would carry passenger and commercial traffic and contain extra right-of-way for rail, pipelines and electric wires.

What first triggered opposition was that under the plan, the new TTC roads would have tolls, something relatively novel in Texas. The state's Department of Transportation—known as TxDot—pointed out that the state's gasoline tax, which pays for road construction and maintenance, hadn't been raised since 1991, while population and commercial traffic were growing at a dizzying pace. Tolls, the governor and his allies argued, were the only solution. (Many TTC opponents propose raising the gasoline tax and indexing it to inflation.)

Unlike the NAFTA highway, the proposed Trans-Texas Corridor—a toll road up to four football fields wide—is very, very real.

But opposition quickly spread, from those in metro areas concerned about the cost of their daily commute to ranchers angry that their land might fall under the TTC hatchet. According to Chris Steinbach, chief of staff for rural Brenham's Republican State Representative Lois Kolkhorst, when people in the district heard about the plan they responded by asking, "'Why would you want to do that?' It was a real front porch, rocking chair kind of question."

Meanwhile David and Linda Stall, a Republican couple from Fayetteville, Texas, began actively organizing opposition to the proposal. As early as 2004, they started bringing friends out to local TxDot hearings and launched the website Corridor Watch. By the time the 2006 gubernatorial election rolled around, a wild four-way race with incumbent Rick Perry pitted against three challengers, the TTC had become one of the most controversial issues of the campaign. Perry was re-elected with 39 percent of the vote, but with all three of his opponents campaigning passionately against the TTC, it was hardly a popular endorsement of the plan.

What was once scattered resistance is now a full-fledged rebellion. The Stalls have pushed through a plank in the state's GOP platform opposing the corridor, which means the governor is now at odds with the official position of his own party. In March thousands of Texans from across the state attended an anti-TTC rally on the Capitol steps, and liberal Democrats and conservative Republicans came together to co-sponsor a moratorium on the plan. It passed the House and Senate, only to be vetoed by Governor Perry. (A considerably weaker version was ultimately signed into law.)

Perry's continued support of the TTC in the face of mounting opposition is more than just a political liability; it's begun to resemble Bush's Iraq policy in its obstinate indifference to public opinion. This, along with the fact that the federal government sent a letter to the state warning it not to pass a moratorium on the project, has fueled conspiracy speculations about what the real goal of the TTC is. Kelly Taylor, a John Birch Society member and Austin-based freelance contributor to its magazine, has been working hard to connect the dots between the TTC and the NAFTA Superhighway. "It first surfaced because it was a local toll issue," she told me over coffee. "That, in and of itself, was alarming enough—all the corrupt politics that happened to make it come about. Then we thought, Wait a minute, something's not right here, this is bigger than just a local toll issue."

Taylor may represent a certain fringe of the anti-TTC efforts (her name prompted some eye-rolling among other activists), but there's a whole lot of cross-pollination between local concerns about the TTC and the growing North American Union mythology. When I asked David McQuade Leibowitz, a Democratic State Representative from San Antonio, why the governor was so determined to build the TTC, he put his boots up on his desk, leaned back in his chair and said, "I think Texas is the first link in the highway to run from South America to Canada. One nation under God. We see bits and pieces of it. We don't see it all. It makes us cringe and sick to our stomachs."

Texas Transportation commissioner Ric Williamson is one of those Texas personalities who seem almost self-consciously to will themselves toward caricature. One Democratic staffer in the Capitol casually referred to him as Darth Vader; *Texas Monthly* recently called him "the most hated person in Texas." Owner of a natural gas production company before becoming a state legislator in 1985, he has lately been reincarnated as a transit policy wonk, a role he plays as a cross between mid-twentieth-century road builder Robert Moses and J.R. Ewing from *Dallas*: the planner as good old boy. He does not suffer from a lack of confidence. "We're the greatest state agency you'll ever interview," he told me at one point. With his good friend Governor Perry hemorrhaging political capital, it's fallen to Williamson to advocate for the corridor and draw fire from its opponents.

At first the press contact for TxDot told me Williamson wouldn't be available, but after I informed her I'd lined up dozens of interviews with TTC opponents, she called me back a week before my trip to Texas for this article to set up an interview. When I was ushered into Williamson's office, he was in the midst of a discussion with one of the four staffers who flanked him. At my appearance in the doorway, he made no move to acknowledge my presence other than slightly pulling out the chair next to him, where, apparently, I was to sit.

Williamson's case is straightforward: The state needs a whole lot of new roads it can't pay for. The sheer population growth in Texas, particularly in the urbanized area in the eastern part of the state that contains San Antonio, Dallas, Houston and Austin, combined with the projected increase in commercial

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traffic, has precipitated what Williamson says is an impending crisis. The TTC would provide the necessary increase in capacity at the low, low price the state can afford. "Our view is, you can run from the corridor if you want to," he told me, smiling, "but that's eventually what we'll build. Because that's where the fricking people live!" At that he shot up to walk over to a map of the state hanging on one wall, patting my shoulder with paternal authority as he passed. "It's so logical to me it drives me nuts."

He's right about the challenges the state faces, but it's a long jump from the diagnosis to the cure. Opponents of the plan point out that, as conceived, the corridor will run parallel to the existing Interstate, possibly far from the same cities where it's supposed to relieve congestion. (TxDot says state law will require the roads to connect to Interstates, which connect to cities.) On top of that, the current plan employs a novel privatized financing mechanism that has many crying foul.

In conversations with people in Texas, it seemed that the privatized nature of the road was what got folks the angriest.

Under a comprehensive development agreement (CDA) signed in March 2005, the Spanish concern Cintra (in partnership with Texas-based Zachry Corp.) will pay the state for the right to develop the roads along the corridor, where it will be able to collect tolls and establish facilities within the right-of-way for fifty years. This kind of road-building deal is commonplace in other parts of the world, often in places where government lacks the ready capital necessary to develop large infrastructure projects. It's called a BOT, for build, operate, transfer. Until recently it was unheard of in the United States.

The arrangement has been heavily criticized for a number of reasons. The CDA includes a noncompete clause that could conceivably prevent the state from building necessary roads in the future because they would "compete" with a stretch of the privatized TTC. It's also expensive. A recent state auditor's report estimated the cost for just the first section of the corridor at $105 billion. TxDot portrays the deal as a clever way of getting the private sector to pay for public roads, but eventually the total cost of the project, plus a layer of profit for Cintra-Zachry, will be coming out of the pockets of Texas drivers. Finally, the timeline for development of the project, which will be constructed piecemeal, is based on which sections of the corridor Cintra has identified as "self-performing," according to Williamson—in other words, those sections that contain a high enough volume of toll-paying passengers that they will turn a profit.

Williamson argues that the state simply has no choice. Or, as he put it to one reporter, "If you aggressively invite the private sector to be your partner, you can't tell them where to build the road." But this seems, to put it mildly, pretty ass-backward. The point of transportation planning is to provide the infrastructure for people to move efficiently, safely and quickly from point A to point B, not to maximize the profits of some conglomerate that managed to win a state contract. You wouldn't want to place, say, fire stations across a city using the same logic that guides the placement of Starbucks. But that's more or less the way the TTC is unfolding.

"I always think of the corridor as a payday loan," said Kolkhorst's chief of staff Chris Steinbach. "You're going to get a little money up front, but you're losing the long-term gain you're charged by the people to oversee." As he said this I noticed his computer's screensaver, which featured an image of the Texas Capitol dome with a bright red banner Photoshopped in that read EVERYTHING MUST GO!

In my conversations with people in Texas, it seemed that the privatized nature of the road was what got folks the angriest. Bad enough that drivers would face tolls, that ranchers would have their land cut out from under them, but all for the financial gain of a foreign company? "If you liked the Dubai ports deal, you'll love my TTC land grab," taunts an animated Rick Perry on one anti-TTC website. The cartoon goes on to portray Cintra as conquistadors clad in armor riding in to steal Texans' treasure.

"What really drives this is economic," activist Terri Hall told me. "It's about the money. We're talking about obscene levels of profit, someone literally being like the robber barons of old. And this is one thing that government actually does well, build and maintain roads."

Hall is an unlikely defender of the public sphere. A conservative Republican and an evangelical Christian who home-schools her six children, she first got interested in road policy when TxDot announced plans to toll the road near her house, which runs into San Antonio. Outraged, she brought it up with her local State Rep, and when that didn't work, she began organizing. She founded the San Antonio Toll Party (like the Boston Tea Party, she notes) by pamphleting at intersections and calling friends. "It's really like the old days, during the American Revolution…just fellow citizens trying together to effect change."

Hall soon became part of the broader anti-TTC effort, and though she originally thought she was just fighting a corrupt local government, she's come to view her battle in a much broader context. "There are big-time control issues," she said. "Someone is really jockeying around to control some things here in America. It explains the open borders, it explains our immigration issues, it explains our free-trade issues, what it's doing to the middle class.

"It really all started with NAFTA," she continued. "There've been people like Robert Pastor and the Council on Foreign Relations. All these secretive groups." She laughed nervously and apologetically. "It sounds like a conspiracy. But I do know there are people who have tried for a long time to go to this global governance. They see there's a way to make it all happen by going to the heads of state and doing it in a secretive way so they can do it without a nasty little thing called accountability. So they won't have to listen to what We the People want."

Hall had arranged to meet me in the San Antonio exurbs, in a home design center that doubled as a cafe. Outside, a thunderstorm lashed the windows with rain. As she spoke, her newborn son propped next to her swaddled and napping, it occurred to

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me that she was living the twenty-first-century version of the American dream. She and her husband had moved to Texas from California in pursuit of cheap housing, open space and a place to raise their family. Their web-design business was successful; their children healthy. Why, I found myself thinking, was she so upset about a road?

Ric Williamson must often ask himself the same thing. Just as the White House was blindsided by the opposition to the Dubai ports deal, just as NASCO was shocked to find that a simple schematic map attracted angry phone calls, just as the Commerce Department was shocked to find a simple bureaucratic dialogue the subject of outrage, so too have Perry and Williamson seemed ambushed by the zealous opposition of people like Hall.

But what people like Williamson don't seem to understand is how disempowered people feel in the face of a neoliberal order whose direction they cannot influence. For corporatists within both parties (Williamson, it should be noted, was a Democrat while in the Statehouse), selling port security or road concessions to a multinational is inevitable, logical, obvious. To thousands of average citizens in Texas and elsewhere, it's madness or, worse, treason. Both the actual TTC and the mythical NAFTA Superhighway represent a certain kind of future for America, one in which the crony capitalism of oil-rich Texas expands to fill every last crevice of the public sector's role, eclipsing the relevance of the national government as both the provider of public goods and the unified embodiment of a sovereign people.

For Williamson, this is progress; for Hall, it's an outrage and a tragedy. "We have so little control over our own government," she told me, the alienation audible in her voice, thunder punishing the air outside. "We are really the last beacon of freedom in the world—the land of the free and home of the brave—and we're letting it slip away from under our noses." ■

LOVELORN STARS ARE OUT. TODAY'S CELEBS ARE PRIZED FOR THEIR BAD BEHAVIOR.

The Diana/Whore Complex

LAKSHMI CHAUDHRY

"We've all seen her…as a princess, as a loving and dedicated mother and as one of the great, great, great icons of giving," declared Kiefer Sutherland, one of the many bright shiny celebrities who gathered at a concert in July to commemorate Diana—or, more accurately, to canonize her—on the tenth anniversary of her death. Yet in the pantheon of female icons, Diana was more Marilyn Monroe than Mother Teresa, a woman best known not for her "giving" but for what Joyce Carol Oates described in her 1997 obituary as "her often desperate search for love."

KAREN CALDICOTT

Looking back, the people's princess appears a strange anachronism, perhaps the last of an extinct breed of tragic Cinderellas whose romantic failures and heartbreak were essential ingredients of their mystique. In the ten years since Diana's death, female celebrities have indeed come a long way, baby. Whatever the failings of the brat pack who dominate the tabloid headlines today, they represent a new generation of stars—including the likes of Lindsay Lohan, Nicole Richie and Tara Reid—who no longer feel the need to hide their appetite for pleasure, status and attention behind a giggle or a teary smile.

"I think every decade has an iconic blonde—like Marilyn Monroe or Princess Diana—and right now, I'm that icon," Paris Hilton told the *Sunday Times* of London last year, at the height of her notoriety as the tabloids' favorite party girl. Her remark drew jeers of derision, but as Matt Haber observed on *Radar Online*, Paris wasn't entirely wrong about her importance as a cultural signifier of her time: "Journalists reach for her name first when seeking an easy phrase signifying unearned fame, inherited wealth, propensity for sexual indiscretion or a penchant for cheap publicity."

While Diana and Marilyn shared a number of qualities with today's female celebs—notably a lack of sexual discretion and an appetite for public attention—Paris is, for better or worse, a new variety of feminine icon, defined not by victimhood and suffering but by self-sufficiency and self-gratification. In many ways, the "skank posse" represents the pop incarnation of a certain brand of Gen-X feminism that places sexual gratification and independence at the top of the agenda. It's the kind of "party girl" power that was daring and cool back in the '90s but now represents the new "normal"—as made painfully evident by the shallow young Hilton wannabes who populate MTV's reality shows.

In a *Guardian* article written nearly a year after Diana's car crash, Joan Smith bemoaned our fascination with tragic love goddesses who are willing to bare every detail of their calamitous personal lives to earn our sympathy and regard. "Our appetite for stories of female misery, it seems, can never be sated," Smith wrote. "What we want to know about rich, beautiful, successful women is that they are, in spite of all their advantages, lonely and miserable." Or, more precisely, that their success and fame are a poor substitute for the love of a good man.

Likewise, Sarah Churchwell wrote in *The Many Lives of Marilyn Monroe* of the mythology inspired by the ultimate

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blond victim: "Unmarried, childless, a professional success, she will still be branded a personal failure. The prospect of the most desirable woman in the world becoming a spinster is finally what will kill her. She will die when the men have left the tale. She will die because she was a woman alone on a Saturday night—a fate worse than death."

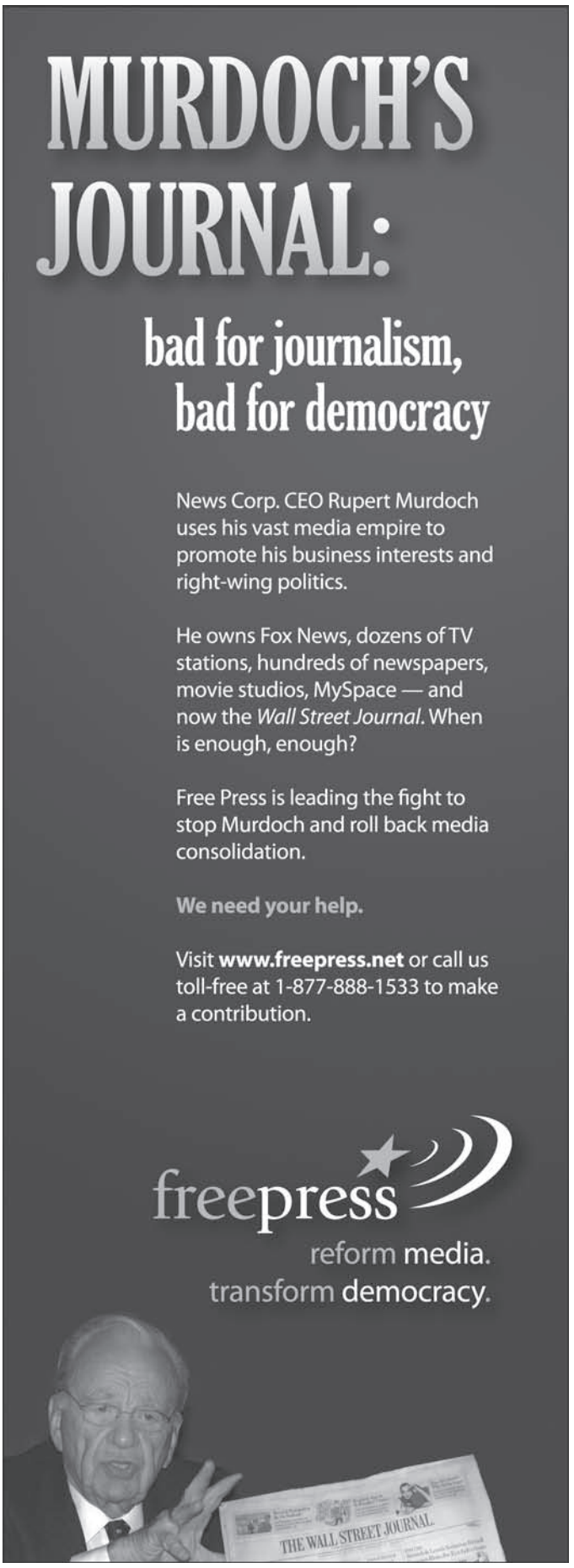
The plot line of this fairy tale is always the same: Deprived childhood creates lifelong craving for love, which she seeks in the arms of various unsuitable men and, failing that, in public adulation, which cannot, however, save her from a tragic, usually lonely and always untimely death. Cinderella gets to be princess but never finds Prince Charming, and that's why we love her. The more she bares her scars—her rejected, needy, self-loathing self—the closer we press her to our hearts.

Describing a grab bag of Monroe memorabilia, a Christie's auctioneer summed up the secret of their allure: "All these things reflect Marilyn's vulnerability. Vulnerability was part of Marilyn Monroe's irresistible appeal." Just as irresistible is the suffering of the woman who would emerge two decades later as the rightful heir to Marilyn's mantle of thorns. Diana "used her big blue eyes to their fullest advantage, melting the hearts of men and women through an expression of complete vulnerability. Diana's eyes, like those of Marilyn Monroe, contained an appeal directed not to any individual but to the world at large. Please don't hurt me, they seemed to say," gushed Ian Buruma in his 1999 write-up for *Time*, which featured both women in its list of the twenty greatest heroes and icons of the twentieth century.

In her biography of Monroe, Churchwell takes to task the relentless mythomania of her admirers and critics, who are equally invested in nurturing the legend of a hapless beautiful woman consumed by her desire for celebrity and love. What they carefully ignore, she argues, is Marilyn's own role in using the media and men to catapult what was at best an unexceptional acting career into the heights of enduring stardom. Behind the image was a complicated, intelligent, damaged woman, no doubt, but hardly desperate, fragile or even particularly love-struck.

Although Diana's connection to Marilyn Monroe would not be cemented in the public mind until her death—when Elton John did the needful by rewriting "Candle in the Wind"—the people's princess proved herself to be a worthy heir to Marilyn's legacy from the moment she stepped into the public spotlight. In her book *The Diana Chronicles*, Tina Brown reveals a determined 19-year-old who employed her considerable skills of self-invention and public relations to seduce the British press and pave her ascension to Buckingham Palace. Tabloid photographer Ken Lennox told Brown of those early days, "The shy Di is a myth. That came about because she would put her head down and her hair would fall over her face and she would glance up every now and then to see where we were."

When her fairy-tale wedding turned into a domestic nightmare—what with Charles unhelpfully refusing to play his assigned role—Diana simply discarded one mythic narrative in favor of another, this time in order to secure her postdivorce future outside the palace. The "true story" that she leaked to Andrew Morton in 1992 in a pre-emptive strike against her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husband and in-laws contained all the ingredients for her posthumous canonization as the new Marilyn. The details seemed shocking and yet carefully selected to renarrate her life to fit her new role as tragic Cinderella: Her tawdry sexual escapades skillfully recast as romantic tragedies, appetite for publicity as a desperate cry for recognition and real bouts of bulimia and invented suicide attempts as signs of deep emotional pain.

The Joyce Carol Oates obituary, penned for *Time* magazine, is stirring testimony to Diana's PR success. Shrill in her indignation at the endless indignities heaped on her hapless heroine by "the Establishment," "human jackals known as paparazzi," the philandering husband and the parade of caddish lovers, Oates concludes with a paean to Diana's "significance for women that approaches the mystical. In Diana, the fairy-tale princess who was cruelly awakened to the world of hurt, betrayal and humiliation, women of all ages found a mirror image of themselves, however magnified and glamorized." In one fell swoop, this feminist author who should surely have known better reduced not only Diana but also her many female fans to the worst kind of feminine stereotype: frail, dependent and easily abused.

In a June 17 column, Naomi Wolf complained about a culture that "seems increasingly obsessed with showcasing images of glamorous young women who are falling apart," citing the spectacle of Britney Spears's meltdown, Paris Hilton's arrest and Lindsay Lohan's various stints in rehab. The more women advance in the real world, Wolf argues, the more "the broken, out-of-control ingenue—who clearly can't manage without lots of help—is reassuring. And, I'd say, seductive." In other words, Paris may be no Marilyn or Diana, but she serves exactly the same purpose: to assure us of feminine vulnerability.

It would be a convincing argument, except these young women present themselves as neither broken nor fragile. Where Diana made much of her indifferent mother, Lindsay plays down her far more dysfunctional family life, which includes an ex-convict dad. Like Paris, these young women position themselves as overindulged princesses rather than scarred little waifs. Peddling emotional pain is just not their thing.

"[Paris is] too rich, skinny, blond, nude, slutty, drunk, spoiled and famous. She ignores the law and openly flouts our social mores, as if they don't apply to her," writes Cintra Wilson in *Salon*. Hilton, Lohan and their peers represent a radically new generation of celebrities who receive attention—or more precisely notoriety—because they violate rather than perform traditional modes of femininity, especially when it comes to matters of the heart.

Unlike the media narratives about previous female celebrities, stories about today's stars center less on their dating travails than on their partying ways. Almost all of these women seem less interested in Mr. Right than Mr. Right Now. "They certainly aren't sitting at home, crying into their beer, saying, 'If I only had the right man,'" points out Bella DePaulo, author of *Singled Out*. "They seem to take for granted what women before them have worked for, which is to lead lives independent of men."

There is, however, a price to pay for their transgressions. "I find of particular interest the amount of hatred people have, especially male commentators, for Paris Hilton," says Karen Hollinger, author of *The Actress: Hollywood Acting and the*

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Female Star. "She isn't portrayed as looking for love—and finding or not finding it—but as beautiful and rather wild. On the other hand, Diana fit so well into the model of the beautiful woman searching and suffering for love that men were falling all over themselves to celebrate this 'candle in the wind.'"

Paris is no more of a "media whore" than were Diana or Marilyn, but unlike them, her narcissism is brazen and unapologetic rather than eager to please, and therefore despicable. What hasn't changed is the age-old double standard that shapes tabloid press coverage of female stars. "There doesn't seem to be the same obsession with catching male celebrities in these disreputable acts—which would be perfectly easy to do—as there is with these young women," says Charles Ponce de Leon, author of *Self-Exposure: Human-Interest Journalism and the Emergence of Celebrity in America, 1890–1940*. "The spotlight is harsh and unforgiving on these women because they seem to be wantonly violating conventional norms."

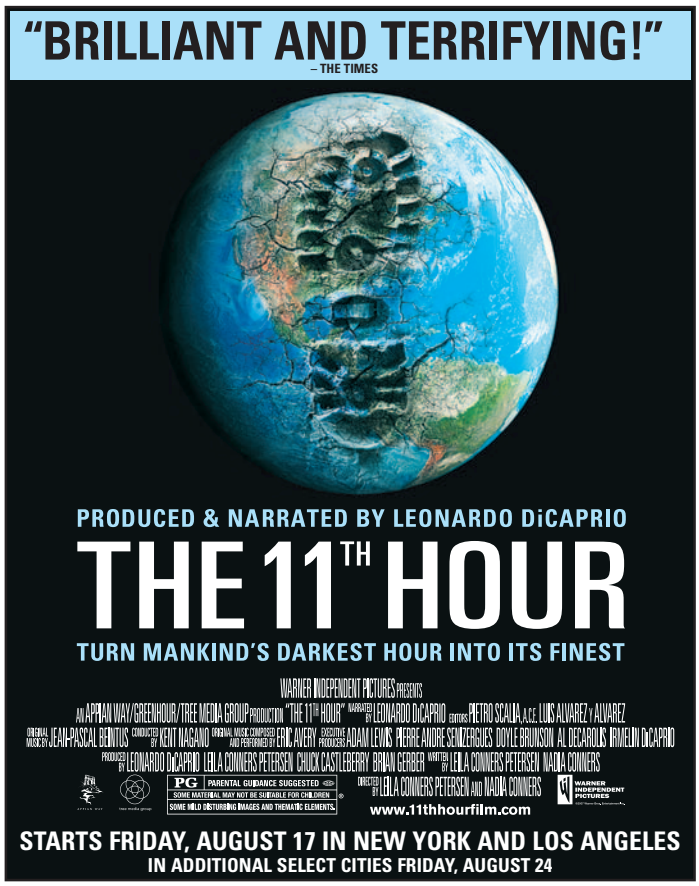
The public's appetite for feminine suffering once fed by tales of heartbreak is now sated by a stint in rehab or behind bars. What was once a self-satisfied desire to protect is now an urgent need to punish. As Wilson observes, "We are engaging in our new favorite dysfunctional love-hate relationship: Public stoning of the celebrity hooker."

Take, for example, Britney Spears. People were on her side after she kicked her deadbeat husband to the curb, but she felt the wrath of her fans at her nightclub shenanigans, which were deemed inappropriate for a new mother. We may be OK with our stars being single, but they're still not free of their womanly duty to "behave."

The news isn't all bad, however. We may not care much for the "skank posse," but the demise of the love-obsessed tragic Cinderella is good reason to celebrate. Today's dominant feminine imperative is not to suffer but to prevail over emotional adversity. Female stars emerge from their divorces looking radiant and liberated, à la Nicole Kidman, whose career soared after being publicly dumped by her husband. Even Diana's story is being revised to suit a twenty-first-century sensibility. The book jacket of Andrew Morton's revised iteration of Diana's life in 2004 touts her "courageous evolution from life as a downtrodden wife and reluctant royal fashion plate to a self-confident and independent modern woman."

A primary reason for our newfound tolerance is also a significant shift in demographics. Dedicating your life to the so-called "desperate search for love" increasingly seems absurd in a culture where relationships often don't last forever and in which—as DePaulo points out—Americans, on average, will spend more years of their adult lives single than married, partly because they're marrying later and living longer as widows. No wonder a recent Pew survey found that 79 percent of Americans believe a woman can lead a complete and happy life if she remains single. (The figure for men was actually lower, at 67 percent.)

Our vision of a happy life for a single female star, however, still requires a continual stream of love affairs, temporary though they may be, and the various Hollywood accoutrements—low body fat, plastic surgery, fabulous wardrobe—that establish her "hotness." In other words, the women we admire are like Diana, sans the self-pity and desperation. It is progress—of a sort. ■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SENATOR CLINTON HAS A PRO-WORKER VOTING RECORD. SO WHY ARE UNIONISTS SKEPTICAL?

Hillary's Labor Gambit

ARI BERMAN

KAREN CALDICOTT

Before the 1992 Democratic primaries, Bill Clinton was hardly the favored candidate of organized labor. Unions in Arkansas faulted the governor for his state's right-to-work law, low wages, unsafe working conditions and for backing management during strikes. "Bill Clinton is mainly the friend of big business," the head of the Arkansas AFL-CIO said at the time. Many unions threw their early support behind Iowa Senator Tom Harkin. With a few major exceptions, Clinton earned labor's endorsement by default after he won the party's nomination.

Upon securing labor's blessing, Clinton accused President George H.W. Bush of "sucker-punching" American workers and pledged a "common commitment" to the "forgotten middle class." Those words soon rang hollow, as Clinton's presidency confirmed labor's worst suspicions. Clinton scrapped an economic stimulus package in favor of balancing the budget, appointed Wall Street bankers like Robert Rubin and Roger Altman to top positions in the Cabinet and ferociously twisted arms to pass the North American Free Trade Agreement (NAFTA) and subsequent trade pacts. Bill and Hillary Clinton rejected single-payer healthcare reform in favor of a complicated "managed care" plan meant to appease the private sector and only tepidly supported a strikers' bill of rights, which failed to pass Congress. He named a good progressive, Robert Reich, as Labor Secretary but gave decision-making power affecting labor and the economy to Rubin and Altman and, later, political strategists Dick Morris and Mark Penn. By 1996 Reich had resigned, accusing Clinton of selling out.

Despite this poor record, Clinton defanged much of labor's hostility through his personal charm, by cultivating friendships with top union bosses and signing union priorities like the Family and Medical Leave Act and repealing antilabor executive orders from the Reagan and Bush I era. By the end of his presidency, attitudes in labor circles were decidedly mixed. Depending on whom you asked, Clinton was either "a rose in the middle of the desert" or "a wolf in sheep's clothing," says Mark Smith, president of the Iowa AFL-CIO.

Today, operating in a very different political climate, Hillary Clinton has been careful to avoid animosity from labor in her own run for the presidency. As a senator from union-friendly New York, she has shown solidarity with battered upstate industrial cities and built close ties to the local labor movement, receiving an enthusiastic endorsement and "favorite sister" status from the New York AFL-CIO. She's courted labor nationally as well, championing issues like the Employee Free Choice Act, dining with union bosses and recruiting veterans from labor, such as Mike Monroe of the Painters' Union, to work on her staff. Her campaign treats labor officials with respect, returns their calls and solicits their opinions. She asked to hold a recent forum with the AFL-CIO in Detroit, a city ravaged by deindustrialization and trade policies like NAFTA. At her frequent appearances before labor crowds, she's well versed and usually at ease, earning respectful and sometimes boisterous ovations.

"When I'm President," she likes to say, "we're going to stand up for labor and make sure workers can organize for good wages, safe working conditions and actually appoint people to the Department of Labor who are pro-labor!" Her campaign gives labor officials a three-page document, headlined "Fighting for the Rights of Working Families," that summarizes the numerous letters she's written on behalf of union drives in New York, campaign priorities such as universal healthcare and her record on issues like collective bargaining and overtime pay. The AFL-CIO gives her a 93 percent score on her Senate voting record, just below Barack Obama and John Edwards.

Clinton understands the role of unions in the Democratic Party as well as anyone. "Labor is a critically important constituency within the Democratic Party and plays an important role in the primary process," says campaign spokesman Howard Wolfson. Though labor represents a dwindling share of the private-sector workforce, it remains a potent force politically. Union households make up nearly a quarter of the electorate, comparable to the religious right in size and manpower, and vote overwhelmingly Democratic. Historically, labor endorsements have helped play kingmaker with candidates like Walter Mondale in 1984 and Al Gore in 2000.

Yet labor's record in 2004 was not good. Two major unions, AFSCME and SEIU, endorsed Howard Dean in November 2003 but later came to regret it after Dean's early flameout. Many unions endorsed longtime ally Dick Gephardt (a current Hillary backer), whose candidacy also fizzled after a fourth-place finish in Iowa. John Kerry and John Edwards received one endorsement apiece. Since then, seven major unions, led by charismatic SEIU leader Andy Stern, have broken from the AFL-CIO and started the Change to Win (CTW) coalition. Labor managed to work together on a $100 million get-out-the-vote effort in the 2006 midterms, but it's unlikely that will occur in the '08 primaries. When the AFL-CIO convened in Chicago on August 7, no candidate received the two-thirds approval necessary to garner the federation's endorsement for the primaries. By contrast, CTW chair Anna Burger says, "We would like to see if we can get to a common endorsement" separate from the AFL-CIO after CTW's summit in September. But right now,

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though Edwards has the best chance with CTW, no consensus exists there either.

If Clinton doesn't receive early endorsements, she needs to prevent others from getting them and then wrap up labor's support in the general election, as her husband did. In the truly early days of the election cycle, the Clintons sensed that Edwards was fashioning himself as labor's darling—huddling with striking nurses and janitors, rallying for a higher minimum wage and premising his campaign on eradicating poverty in part by empowering the labor movement. So Bill Clinton made a surprise appearance at the Change to Win convention in Las Vegas in March and pleaded with its leaders not to give an early endorsement to Edwards. The strategy has worked. Edwards remains a fan favorite, but there are worries he won't be viable past Iowa, à la Tom Harkin in 1992 or Gephardt in '04. And Obama, despite hailing from a strong union state, remains a new face to many in the rank and file and hasn't been as aggressive as Hillary or Edwards in reaching out to labor. "It's still wide open," says AFSCME president Gerald McEntee, one of the Clintons' closest allies in labor, "and a primary endorsement will be hard to make unless there's a frontrunner leading the pack with real substance." Hillary comes closest to fitting that bill.

Despite what she says today, from labor's point of view Hillary still surrounds herself with some objectionable friends.

Yet not too far beneath the surface, there are multiple tensions. One involves the people Hillary has assembled to run her campaign. *The Nation* reported in May that her chief strategist, Mark Penn, is head of a large PR firm, Burson-Marsteller, that aggressively helps corporations crush union organizing drives. In response, the heads of two influential unions, Bruce Raynor of UNITE HERE and James Hoffa of the Teamsters, wrote Senator Clinton a letter expressing their "distress." SEIU's Andy Stern and John Sweeney of the AFL-CIO placed follow-up calls. Penn subsequently "recused" himself from the company's antilabor work, which he claimed never to have been part of, and Raynor met with Clinton in June to convey his concern. "Believe me, she's well aware of the issue," Raynor says. "It has the potential to hurt her with labor people." Yet he's not satisfied by the campaign's response. "I don't think Mark Penn should be involved in Democratic Party politics and be associated with antiunion stuff." Further instances of Penn's company blocking organizing drives are being investigated by various unions. In addition, Burson-Marsteller and another Clinton-aligned lobbying firm, the Glover Park Group, were recently hired by the government of Colombia, where more than 400 trade unionists have been killed over the past six years, to push for a US-Colombia trade deal that both US and Colombian labor bitterly oppose.

The people advising Hillary on economic policy also arouse labor's ire. They include the Wall Street executives who crafted NAFTA and are now affiliated with the Hamilton Project, a probusiness Washington think tank. AFL-CIO secretary-treasurer Richard Trumka met with Senator Clinton on June 25 and pressed her on which advisers would be running the show if she was elected. Hillary told another labor leader that the Hamilton Project was "absolutely not" her economic team-in-waiting, as had been reported. "Labor has as much input as anyone," says Mike Monroe, the campaign's liaison to labor. Yet one of the founders of the Hamilton Project, former Deputy Treasury Secretary Roger Altman, a protégé of Robert Rubin who runs an investment bank in Manhattan, recently convened a series of economic policy groups on behalf of Clinton. Altman serves as a chief economic adviser, according to the campaign, along with Gephardt and Gene Sperling, another Hamilton honcho and Bill Clinton's second-term national economic adviser. Despite what she says today, from labor's point of view Hillary still surrounds herself with some objectionable friends, not to mention a free-trade-identified husband who would no doubt be closely involved in her Administration. For that reason, there's still mistrust. "She's been willing to listen," says Leo Gerard, president of the United Steelworkers, "but I worry about the Rubin-Sperling-Altman and Hamiltons in her campaign."

Antilabor policies promoted by Bill during the 1990s and Hillary's sometimes contentious Senate votes on matters like the Iraq War are additional causes for concern. "NAFTA has huge baggage," says CTW's Burger. "The war in Iraq has huge baggage. The question is what she's going to do about it now." Trade alone was a major issue for labor during Bill Clinton's presidency. "It colored our opinion of the Clinton Administration," says an AFL-CIO official who requested anonymity. Hillary is fully aware of the declining popularity of unfettered free trade, which remains a dividing line in the party, and she has sought to distance herself from her husband's legacy in this area. "NAFTA had some positives, but unfortunately it had a lot of downside," she said at an AFSCME candidate forum in June. Before her AFL-CIO appearance in Detroit she came out against a proposed trade pact with South Korea. She told the Teamsters union in April that she opposed renewing fast-track trade authority for President Bush, which expired in June. In a concerted effort to appear more progressive, Clinton has ratcheted up her populist rhetoric, declaring that the country "has gone back to the era of robber barons."

Another question, of course, is whether the former corporate lawyer and Wal-Mart board member means what she says. Clinton's rhetoric about the outsourcing of jobs, for instance, has fluctuated depending on whether she's in front of a labor audience or a pro-outsourcing crowd. "I don't think she's really a pro-labor candidate," Peter Stamich, president of the local Steelworkers union in Akron, Ohio, told the *Akron Beacon Journal* after hearing her speak at a USW forum in Cleveland. At that event, Hillary denounced the Central America Free Trade Agreement but never once cited NAFTA. She skipped the Q&A.

John Edwards likes to say, "Wherever I am, I talk about the importance of organizing." Hillary Clinton frequently trumpets the cause of labor these days. But as recently as last year, at a major speech before the Economic Club of Chicago, she didn't refer to unions once. And the "American Dream Initiative" she chaired for the business-friendly Democratic Leadership Council last year made only a passing mention of labor. (Hillary took a

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leadership role in the DLC in 2005 but has not used the organization as a vessel for her presidential aspirations, as Bill did while chair in 1991.) Examples like these reinforce the skepticism, voiced by the AFL-CIO official, that there are "two Hillarys" and that the current one views labor as simply a box to check en route to the nomination.

Even so, a second President Clinton would probably have a tougher time abandoning labor. The open battle between unions and Clinton-allied, corporate-funded organizations like the DLC that raged in the 1980s and '90s has largely subsided, with the latter now a weaker presence in the party. There is a consensus among a wide spectrum of Democrats on the need to enact bold policies like universal healthcare and to make it easier for workers to organize. It's a credit to labor that in this electoral cycle, according to Chicago labor lawyer Tom Geoghegan, "every Democrat sounds like a labor Democrat." In recent years—particularly after last fall's midterms, when a wave of new populists were elected—the Democratic Party has moved closer to labor.

You'd think, given this newfound clout, that labor would be in a position to demand more from the candidates. Yet paradoxically—perhaps because of the betrayals witnessed during Bill's presidency—labor is still reflexively hoping for small crumbs rather than transformational policies. Amid this backdrop, don't expect labor to rock the boat. A Democratic victory in 2008 remains the top priority. "Electability is huge," says AFL-CIO political director Karen Ackerman. "The mood in labor is: We're getting beat up and desperately need a change." In their view, if that entails putting another Clinton in the White House, so be it. ■

LETTERS

CONTINUED

(Continued From Page 2)

identical in style and flavor, mainly resembles what some here in Dallas, another city sorely disappointed in its New Times franchise, observe as a kind of McDonaldsification of alternative journalism. When a city like Dallas, much further along the path to becoming a truly journalistically challenged region, can't even see what New Times has done to freedom of information, one can only buck up and be grateful that *The Nation* is standing up for the people of a large city who see themselves offered up to the same fate as Dallas in the future. GORDON HILGERS

WIENER REPLIES

Irvine, Calif.

■ Laurie Ochoa seems to have missed the part of my article describing the *LA Weekly* under her leadership as a "truly great" paper whose coverage has "towered above" the rest of the alt weeklies. I did argue that the recent takeover by New Times Media has brought three big changes that have shifted the paper's politics rightward: far fewer stories about the Iraq War and other international or national issues, no more political endorsements and no more writing about the forces working to make LA a more egalitarian city. These are editorial policies proudly proclaimed by the new owners, especially CEO Mike Lacey. Basically, he says "good riddance" to what he regards as tired leftist Bush-bashing and whining about the underprivileged.

Lacey didn't respond to my request for an interview, or to the published article; he left that to people who work for him. But instead of saying "good riddance," these letters take a different tack. Ochoa starts out by complaining that I didn't give her a chance to respond to questions. Maybe she forgot that she did respond to my questions, and maybe she didn't notice that the piece quotes her responses, sent by e-mail. She didn't respond to other questions, although I e-mailed her seven times and set up a phone interview, which she skipped.

Regarding the *Weekly*'s story about Miguel Contreras, I did not suggest that the *Weekly* "should have killed or censored" it. I held it up as an example of the changes at the paper: In the past, it ran cover stories on Justice for Janitors and the Living Wage campaign; now it runs cover stories that could well be headlined LABOR BOSS CROAKS IN HOOKER'S ARMS. That's evidence of a new editorial policy, one that follows the new owners' often-declared ideas.

As for the *Weekly*'s coverage of the LAPD attack on an immigrant rights march in MacArthur Park, three of the four stories appeared only later and only online—while the print edition after the riot ran five stories (and the cover) on the Coachella music festival. Again, not a crime, but a sign of the change at the paper.

Ochoa is right that the paper still runs occasional stories touching on the Iraq War, but much less often and with a shift in political tone: Recently the *Weekly* ran a story on how returning vets are dealing with stress by "tapping" Buddhist meditation practices.

As for Jonathan Gold, I love his work and celebrated his Pulitzer—but he doesn't write about Iraq or candidates or movements; he writes about restaurants.

Ted Kissell and Gustavo Arellano make the same mistake: My piece was about the *LA Weekly*, not the *OC Weekly*. I did mention *OC Weekly*, but I also mentioned the *Village Voice*, the *Seattle Weekly*, and the Minneapolis *City Pages*. None of the staff at those papers thought it necessary to write *The Nation* to express pride in their publications. I did quote the former *OC Weekly* editor—not about content but about the management practices of the new corporate owners, which drove him to resign. Neither Kissel nor Arellano disputes anything in that account. JON WIENER

GIVE US YOUR TIRED, YOUR POOR...

San Bernardino, Calif.

■ I am a loyal and longtime *Nation* reader, but I am becoming irritated by your constant badgering that I must be in favor of illegal immigration. I have been a progressive all my long life, but I do not favor open borders whereby Mexico can send us its millions. DAN KING

Monterey, Calif.

■ *The Nation* is wonderful, especially on immigration. I have been surprised by some of the letters in response to your immigration articles. If these readers understood that there is no line to join, they would not demand that illegal immigrants "get in line." LOREN WILLIAMS

GREAT MINDS...

DeSoto, Tex.

■ I have always dutifully recycled my copies of *The Nation*. But my wife had a brilliant idea: She suggested I leave my finished copies in public areas for others to discover. I have left them in waiting rooms at the doctor's, the dentist's, the tire store, the auto repair shop and several coffee shops. (Of course, because of where I live I remove my name and address.) Spreading the message in Texas, GERALD DOLLINGER

Lancaster, Pa.

■ I suggest readers leave their *Nation*s with a note inviting others to take them and read them. The idea came to me when I saw the egregious right-wing trash in the waiting room of our local medical establishment. (From a faithful reader for forty years, half my life.) WILLIS RATZLAFF

OFF THE ROAD

■ In "Kings of the Road" [July 30/Aug. 6] Jonah Raskin states that Jack London is the only author mentioned by name in Jack Kerouac's *On the Road*. In fact Kerouac names numerous authors, including Dostoyevsky, Nietzsche, Shakespeare and Hart Crane.

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BOOKS & THE ARTS

Stars and Bars

DANIEL LAZARE

How can you tell when a democracy is dead? When concentration camps spring up and everyone shivers in fear? Or is it when concentration camps spring up and no one shivers in fear because everyone knows they're not for "people like us" (in Woody Allen's marvelous phrase) but for the others, the troublemakers, the ones you can tell are guilty merely by the color of their skin, the shape of their nose or their social class?

Questions like these are unavoidable in the face of America's homegrown gulag archipelago, a vast network of jails, prisons and "supermax" tombs for the living dead that, without anyone quite noticing, has metastasized into the largest detention system in the advanced industrial world. The proportion of the US population languishing in such facilities now stands at 737 per 100,000, the highest rate on earth and some five to twelve times that of Britain, France and other Western European countries or Japan. With 5 percent of the world's population, the United States has close to a quarter of the world's prisoners, which, curiously enough, is the same as its annual contribution to global warming. With 2.2 million people behind bars and another 5 million on probation or parole, it has approximately 3.2 percent of the adult population under some form of criminal-justice supervision, which is to say one person in thirty-two. For African-Americans, the numbers are even more astonishing. By the mid-1990s, 7 percent of black males were behind bars, while the rate of imprisonment for black males between the ages of 25 and 29 now stands at one in eight. While conservatives have spent the past three or four decades bemoaning the growth of single-parent families, there is a very simple reason some 1.5 million American children are fatherless or (less often) motherless: Their parents are locked up. Because they are confined for the most part in distant rural prisons, moreover, only about one child in five gets to visit them as often as once a month.

What's that you say? Who cares whether a bunch of "rapists, murderers, robbers, and even terrorists and spies," as Republican Senator Mitch McConnell once characterized America's prison population, get to see their kids? In fact, surprisingly few denizens of the American gulag have been sent away for violent crimes. In 2002 just 19 percent of the felony sentences handed down at the state level were for violent offenses, and of those only about 5 percent were for murder. Nonviolent drug offenses involving trafficking or possession (the modern equivalent of rum-running or getting caught with a bottle of bathtub gin) accounted for 31 percent of the total, while purely economic crimes such as burglary and fraud made up an additional 32 percent. If the incarceration rate continues to rise and violent crime continues to drop, we can expect the nonviolent sector of the prison population to expand accordingly. A normal society might lighten up in such circumstances. After all, if violence is under control, isn't it

BOOKS DISCUSSED IN THIS ESSAY

AMERICAN FURIES: Crime, Punishment, and Vengeance in the Age of Mass Imprisonment.
By Sasha Abramsky.
Beacon. 213 pp. $25.95.

PUNISHMENT AND INEQUALITY IN AMERICA.
By Bruce Western.
Russell Sage Foundation. 247 pp. $29.95.

MARKED: Race, Crime, and Finding Work in an Era of Mass Incarceration.
By Devah Pager.
Chicago. 248 pp. $25.

LOCKED OUT: Felon Disenfranchisement and American Democracy.
By Jeff Manza and Christopher Uggen.
Oxford. 359 pp. $29.95.

THE PRISON AND THE GALLOWS: The Politics of Mass Incarceration in America.
By Marie Gottschalk.
Cambridge. 451 pp. $28.99.

Daniel Lazare is the author, most recently, of The Velvet Coup: The Constitution, the Supreme Court, and the Decline of American Democracy *(Verso). He is currently at work on a book for Pantheon about the politics of Christianity, Judaism and Islam.*

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time to come up with a more humane way of dealing with a dwindling number of miscreants? But America is not a normal country and only grows more punitive.

It has also been extremely reluctant to face up to the cancer in its midst. Several of the leading Democratic candidates, for example, have recently come out against the infamous 100-to-1 ratio that subjects someone carrying ten grams of crack to the same penalty as someone caught with a kilo of powdered cocaine. Senator Joe Biden has actually introduced legislation to eliminate the disparity—without, however, acknowledging his role as a leading drug warrior back in the 1980s, when he sponsored the bill that set it in stone in the first place. At a recent forum at Howard University, Hillary Clinton promised to "deal" with the disparity as well, although it would have been nice if she had done so back in the '90s, when, during the first Clinton Administration, the prison population was soaring by some 50 percent. Although he is not running this time around, Jesse Jackson recently castigated Dems for their hesitancy in addressing "failed, wasteful, and unfair drug policies" that have sent "so many young African-Americans" to jail. Yet Jackson forgot to mention his own drug-war past when, as a leading hardliner, he specifically called for "stiffer prison sentences" for black drug users and "wartime consequences" for smugglers. "Since the flow of drugs into the US is an act of terrorism, antiterrorist policies must be applied," he declared in a 1989 interview, a textbook example of how the antidrug rhetoric of the late twentieth century helped pave the way for the "global war on terror" of the early twenty-first.

In other words, cowardice and hypocrisy abound. Fortunately, a small number of academics and at least one journalist have begun training an eye on America's growing prison crisis. Since there is more than enough injustice to go around, each has zeroed in on different aspects of the phenomenon—on the political and economic consequences of stigmatizing so many young people for life, on the racial consequences of disproportionately punishing young black males and on the sheer moral horror of needlessly locking away real, live human beings in supermax prisons that are little more than high-tech dungeons. Their findings, to make a long story short, are that the damage cannot be reduced to a simple matter of so many person-years of lost time. To the contrary, the effects promise to multiply for years to come. In *American Furies* Sasha Abramsky, a Sacramento-based journalist and longtime *Nation* contributor, convincingly argues that the best way to understand US prison policies is to think of them as a GI Bill in reverse. Just as the original GI Bill laid the basis for a major social advance by making college available to millions of veterans, mass incarceration is laying the basis for an enormous social regression by stigmatizing and brutalizing millions of young people and "de-skilling" them by removing them from the workforce. America will be feeling the effects for generations.

Americans could find a more humane way to deal with a dwindling number of miscreants, if only they lived in a normal country.

Bruce Western, a Princeton sociologist, offers the best overview. He notes in his new study, *Punishment and Inequality in America*, that mass imprisonment is actually a novel development. For much of the twentieth century, the US incarceration rate held steady at around 100 per 100,000, which would put it in the same ballpark as Western Europe today. But after a slight dip following the liberal reforms of the 1960s, the curve reversed direction in the mid-'70s and then rose more steeply in the '80s and '90s. Considering that Germany, Sweden, Denmark and Austria succeeded in reducing or holding their incarceration rates steady during this period, the US pattern was highly exceptional. But so are US crime rates. Between 1980 and 1991, US homicides hovered at between 7.9 and 10.2 per 100,000, as much as ten times the European average. (The rate has since fallen to around 5.7.) Combined with the crack wave that also exploded in the 1980s, the result was a deepening sense of panic that peaked in mid-1986 with the death of basketball star Len Bias from a cocaine overdose. Although there was no evidence that crack had anything to do with Bias's death—police found only powdered cocaine in his car—the incident somehow confirmed crack as the new devil substance, "the most addictive drug known to man," in the words of *Newsweek*, and a threat comparable to the "medieval plagues," in the considered opinion of *U.S. News and World Report* (which would have meant that the country was facing an imminent population loss of up to 33 percent). Within a matter of months, Joe Biden had helped shepherd through to victory the Anti-Drug Abuse Act of 1986, an unusually horrendous piece of legislation that etched in stone the 100-to-1 penalty ratio for crack.

Still, it is always interesting to consider which deaths fill people with horror and which ones don't. The year before Bias's death not only saw 19,000 homicides in the United States but nearly 46,000 highway fatalities too, and yet Congress somehow refrained from criminalizing motor vehicles. Crack's status as the drug du jour of a certain class of inner-city blacks should have been the giveaway. What had Congress in a tizzy was not cocaine consumption so much as *black* cocaine consumption, which is why the subsequent repression was bound to be far harder on African-Americans than on whites. Although there is no evidence that blacks use drugs more than whites and indeed some evidence that they use them less, Western notes that black users are now twice as likely to be arrested for drugs and, once arrested, more likely to go to prison or jail. None of this is necessarily racist, at least not in the crudely explicit way we associate with men in white sheets. The reason the police concentrate their efforts in black inner-city neighborhoods, Western notes, is that users congregate there in large numbers, and buying, selling and using tend to take place in public. (It's harder to make arrests behind the closed doors of some suburban McMansion.) If a judge is more inclined to send a poor black defendant to prison, similarly, it is not necessarily because he or she enjoys punishing someone with dark skin but because the judge, according to Western, may "see poor defendants as having fewer prospects and social supports, thus as having less potential for rehabilitation." If your weeping parents can afford to send you to private rehab, you're excused. If not, it's off to the state pen.

Racial and class biases are thus built into the very structure of the drug war. Western is particularly effective on the economic consequences of such grossly disproportionate policies. The standard account of American economic development since the 1970s, told and retold in countless undergraduate classrooms, is that economic deregulation and growth have done much to narrow the once-yawning wage gap between white and black workers. To quote the *New York Times*: "Unemployment rates among blacks and Hispanic people…are at or near record lows. Joblessness among high school dropouts has fallen to about half the rate in 1992. And wages for the lowest paid are rising faster than inflation for the first time in decades." A rising tide lifts all boats, whereas all that labor-market rigidity has done for "Old Europe" is to saddle it with persistently high levels of

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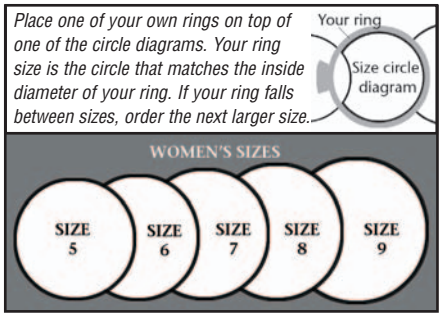

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unemployment, an alienated underclass and riots in the *banlieues*. But as *Punishment and Inequality in America* points out, if US economic policies look good, it is only because the country's enormous prison population is not factored into the equation. If workers behind bars are counted, then it quickly becomes apparent "that young black men have experienced virtually no real economic gains on young whites" and that the real black unemployment rate is up to 20 percent greater than official statistics indicate. Rather than freeing up the markets, Western writes, the United States has "adopted policies that massively and coercively regulated the poor." Where the Danes provide their unemployed with up to 80 percent of their previous salary and the Germans provide them with 60 percent, America has deregulated the rich while throwing a growing portion of its working class in jail.

In *Marked*, Devah Pager, who also teaches sociology at Princeton, uses a simple technique to show how mass incarceration has undone the small amount of racial progress achieved in the 1960s and '70s. Working with two pairs of male college students in Milwaukee, one white and the other black, she drilled them on how to present themselves and answer questions. Then, arming them with phony résumés, she sent them out to apply for entry-level jobs. The résumés were identical in all respects but one. Where one member of each team had nothing indicating a criminal record, the other's résumé showed an eighteen-month sentence for drugs. To help insure that the results were uniform, the résumés were then rotated back and forth among the testers.

The results? The white applicant with a prison record was half as likely to be called back for a second interview as the white applicant without. But the black applicant without a criminal record was no more likely to be called back than the white applicant with a record, while the black applicant with a record was two-thirds less likely to be called back than the black applicant without. The black applicant with a record therefore wound up doubly penalized—as a black man and as an ex-con. With the chances of a call-back reduced to just 5 percent, the overall effect, Pager writes, was "almost total exclusion from this labor market." Considering that there are as many as 12 million ex-felons in the United States, a major portion of them black, the result has been to create a huge pool of the semipermanently unemployed where one might otherwise not exist. This is not to disprove sociologist William Julius Wilson, whose study *The Declining Significance of Race* caused an uproar when it was published in 1978. Wilson may have been right: The significance of race may well have been declining by the late '70s. But thanks to a government policy of mass stigmatization, it has come roaring back.

This is not only bad news for those arrested but bad news for those who have to foot the bill for their incarceration and for dealing with the social problems that labor-market exclusion on this scale helps generate. But there are other costs too. In *Locked Out*, Jeff Manza and Christopher Uggen, professors of sociology at Northwestern and the University of Minnesota, respectively, point out that only two states, Maine and Vermont, permit felons to vote while incarcerated, that most limit felons' voting rights after they complete their terms and that, even if not legally disenfranchised, some 600,000 jail inmates and pretrial detainees are effectively prevented from voting as well. All told, this means that 6 million Americans were unable to vote on election day in 2004. This is not peanuts. Nationwide, one black man in seven has been disenfranchised as a consequence, while in Florida, the state with the most sweeping disenfranchisement laws, the number of those prevented from voting now exceeds 1.1 million.

From a right-wing perspective, this is nothing short of brilliant. After all, what could be better than disenfranchising an unfriendly racial group while persuading the rest of the nation that the group deserves it because its ranks are filled with violent criminals? Since felons and ex-felons tend to be poor and members of oppressed racial minorities, they tend to vote Democratic. Even though the poor are less likely to vote than those higher up on the socioeconomic ladder, Manza and Uggen say there is little doubt that, had the disenfranchisement laws not existed in Florida in November 2000, the extra votes would have provided Al Gore with a margin of victory so comfortable that not even the Republican state legislature could have taken it away. If the ranks of prison inmates and hence of disenfranchised ex-inmates had not multiplied since the '70s, much of the wind would also have been taken out of the sails of the great GOP offensive. Americans have not gone right, in other words. Rather, by taking control of the criminal-justice issue, the right wing has winnowed down the electorate so as to artificially boost the power of the conservative minority.

But how did the right gain control of this all-important issue in the first place? This is the problem that Marie Gottschalk, a professor of political science at the University of Pennsylvania, wrestles with in *The Prison and the*

from The Larger Nature

A sanction gone awry
was my portion to cultivate

Giveth and taketh away

This is how adaptation occurs
A perpetual recycling

Make-do-and-mend
again and again

*

When this limbo
becomes mobile
and remains so

depends upon my knowing
the desert

with utmost rigor
and eloquent discipline

It is the road to ardor
wrought through uncertainty

*

How the world is told
is how it inscribes itself

on our clothes

How we become what
we hold of it

Congruent

*

The longing-sector
of the heart
beholds

relentless scrutiny

Inquiry and collecting
serve vigilance's conspiring

The shoot of yellow
under winter

Found

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Gallows, an eccentric but compelling study of mass incarceration's ideological origins. While taking aim at the usual right-wing villains, *The Prison and the Gallows* also goes after various liberals and radicals who, inadvertently or not, also contributed to the construction of "the carceral state." Bill Clinton, for example, not only embraced the drug war and capital punishment—he interrupted his 1992 presidential campaign to fly back to Arkansas and sign the death warrant for a mentally disabled prisoner named Rickey Ray Rector—but also endorsed what Gottschalk calls "a virulently punitive victims' rights movement," going so far as to call for a constitutional amendment in 1996 as "the only way to give victims equal and due consideration."

This was important because the victims' rights movement represented an effort to inject a dose of vengeance into the judicial process and thereby blur the distinction between the private interest of the victim and the public's interest in maintaining order and justice. In Europe, reformers were also concerned with victims' rights. But "extending a hand to victims was seen from the start as primarily an extension of the welfare state," Gottschalk observes, whereas in America, where welfare is a dirty word, it was seen as a way of steering criminal justice in a more punitive direction.

Gottschalk's assault on '70s feminism is sure to raise the most eyebrows. She argues that the women's movement helped facilitate the carceral state by promoting a punitive approach to sexual violence that was unmitigated by any larger political considerations. This single-minded focus led to what *The Prison and the Gallows* describes as unsavory coalitions with tough-on-crime types. In the State of Washington, women's groups successfully marketed rape reform as a law-and-order issue so that, when the measure finally passed in 1975, it was "in part by riding on the coattails of a new death penalty statute."

In California a new rape shield became known as the Robbins Rape Evidence Law, in honor of one of its legislative sponsors, a conservative Republican named Alan Robbins. In pressing for limits on the cross-examination of alleged rape victims, feminists "generally did not consider what effect such measures would have on a defendant's right to due process," Gottschalk adds, even though due process at the time was under assault from a growing war on crime. More radical elements, meanwhile, strayed into outright vigilantism. In Berkeley, antirape activists picketed an accused rapist's home. In East Lansing in 1973, they "reportedly scrawled RAPIST on a suspect's car, spray-painted the word across a front porch and made warning telephone calls late at night." In Los Angeles, a self-styled "antirape squad" vowed to shave rapists' heads, cover them with dye and then photograph them for posters reading, THIS MAN RAPES WOMEN. A feminist publication called *Aegis* ran a notorious cover showing a gun with the warning, "You can't rape a .38; we will defend ourselves."

Discussing rising incarceration rates without addressing the drug war is like discussing Al Capone without mentioning Prohibition.

The National Rifle Association was no doubt delighted. Gottschalk contends that such activists wound up "profoundly co-opted," since "by framing the rape issue around 'horror stories,' they fed into the victims' movement's compelling image of a society held hostage to a growing number of depraved, marauding criminals." She notes that feminists threw themselves into the battle for the Violence Against Women Act, which passed in 1994 as part of an omnibus anticrime bill that "allocated nearly $10 billion for new prison construction, expanded the death penalty to cover more than fifty federal crimes, and added a 'three strikes and you're out' provision mandating life imprisonment for federal offenders convicted of three violent offenses." Yet feminists' involvement was relatively modest two years later when a few liberals tried to rally opposition to Clinton's plan to abolish Aid to Families With Dependent Children, which heavily benefited poor women. Like their nineteenth-century forebears, who advocated bringing back the whipping post to deal with wife beaters, late-twentieth-century feminists got more excited about punishment than defending the welfare state.

Gottschalk is more than a bit brave in pointing this out. Still, her choice of historical examples to explain the growth of an increasingly vindictive national mood seems incomplete. As much damage as radical feminists may have done in undermining due process, they seem less important than certain antidrug activists—in particular, certain black Democratic antidrug activists—whose efforts ran on parallel tracks. This means not just Jesse Jackson, who backed vigilante-style antidrug patrols by the Nation of Islam ("As long as this type of solution is within the law, it should be encouraged") but also Congressman Charles Rangel, the Manhattan Democrat who, as head of the House Select Committee on Narcotics Abuse, spent much of the '80s baiting Reagan for being soft on drugs. "I haven't seen a national drug policy since Nixon was in office," Rangel lamented at one point. "So far, the Administration hasn't given it any priority." This is as clear a case of an ostensible liberal cheering on the forces of right-wing reaction as one could hope to find.

US prisons are not bulging with rapists and wife beaters, but they are filled with drug offenders, some 458,000 as of 2000, which makes the brief space that Gottschalk allots to the drug war somewhat hard to fathom. It's like discussing Al Capone without mentioning Prohibition.

Sasha Abramsky is less interested in the ideological currents that helped pave the way for mass incarceration, although in *American Furies* he does spotlight the fascinating role played by a Berkeley-educated sociologist named Robert Martinson, who, after several years investigating the cornucopia of rehabilitation programs offered at the time by the New York State prison system, summed up his findings in a sensational 1974 article titled "What Works?" His answer: nothing. Martinson's frustration is understandable to anyone who has ever suffered through an encounter group. Yet his conclusions, published in the neoconservative journal *Public Interest*, were grossly one-sided: While many programs do not work, some clearly have a positive effect.

In short order, Martinson's article became the bible of the vengeance-and-punishment set, which seized on it as proof that rehabilitation was a lost cause and that the only purpose of prison was to penalize wrongdoers. Once this ideological impediment was removed, the criminal-justice system slid downhill with remarkable speed. If punishment was good, then more punishment was better. In short order, Massachusetts Governor William Weld was declaring that life in prison should be "akin to a walk through hell," while right-wing Senator Phil Gramm was promising "to string barbed wire on every military base in America" to contain all the criminals he wanted to round up. In Maricopa County, Arizona, which includes Phoenix, a colorful local character named Joe Arpaio got himself re-elected sheriff time and again by parading his inmates about on chain gangs, dressing the men among them in fluorescent pink under-

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wear and serving prisoners food that, as he cheerfully admits, costs less than what he gives to his cats and dogs. "Voters like it everywhere," Abramsky quotes Arpaio as saying of such policies. "I'm on thousands of talk shows. I never get a negative. I get letters from all over the world—and I answer every one. They say, 'Come up here and be our sheriff.'" What makes this all the more repellent is that the people subjected to such humiliation and abuse are rarely killers or rapists but alcoholics, vagrants and other small fry doing time for such misdemeanors as possession and shoplifting.

Amazing how much damage a single article can do, eh? Yet when a conscience-stricken Martinson published a *mea culpa* in the *Hofstra Law Review* five years later ("contrary to my previous position, some treatment programs *do* have an appreciable effect on recidivism"), the media yawned. No big shots interviewed him on TV, and no politicians called to solicit his views. No one wanted to hear that rehabilitation programs work, only that they don't. Beset by personal troubles, professional setbacks and perhaps the realization of how grievously he had allowed himself to be misused, Martinson committed suicide by throwing himself out of a ninth-floor Manhattan apartment in 1980. *American Furies* provides us with a vivid account of the horrors that have followed—the low-level pot dealers and shoplifters sentenced to life in prison in California, Oklahoma, Alabama and other states where various "three strikes" or other habitual-offender laws pertain; the supermax prisoners condemned to spend twenty-three hours a day in barren concrete cells the size of walk-in closets; the epidemics of suicide and self-mutilation; and the stubbornly high levels of violence between and among prisoners and guards—which law-and-order advocates seize upon as reason to build yet more supermax facilities. US prison policy is like a computer program that is designed to spit out the same answers no matter what data are fed into it: Arrest more people, put more of them in prison, build more cells to accommodate them.

Where will it end? As Martinson's story shows, American mass incarceration is not what social scientists call "evidence based." It is not a policy designed to achieve certain practical, utilitarian ends that can then be weighed and evaluated from time to time to determine if it is performing as intended. Rather, it is a moral policy whose purpose is to satisfy certain passions that have grown more and more brutal over the years. The important thing about moralism of this sort is that it is its own justification. For true believers, it is something that everyone should endorse regardless of the consequences. As right-wing political scientist James Q. Wilson once remarked, "Drug use is wrong because it is immoral," a comment that not only sums up the tautological nature of US drug policies but also shows how they are structured to render irrelevant questions about wasted dollars and blighted lives. Moralism of this sort is neither rational nor democratic, and the fact that it has triumphed so completely is an indication of how deeply the United States has sunk into authoritarianism since the 1980s. With the prison population continuing to rise at a 2.7 percent annual clip, there is no reason to think there will be a turnaround soon. Indeed, Gottschalk writes that mass incarceration is so taken for granted nowadays that "it seems almost unimaginable that the country will veer off in a new direction and begin to empty and board up its prisons." Still, she ends on a quasi-optimistic note by quoting Norwegian sociologist Thomas Mathiesen to the effect that "major repressive systems have succeeded in looking extremely stable almost until the day they have collapsed." Indeed, repression is itself often a sign of instability bubbling up from below. This is not much to pin one's hopes on, but it will have to do. ■

Spirited Away

THOMAS LAQUEUR

PHANTASMAGORIA. By Marina Warner. Oxford. 469 pp. $29.95.

MUSES, MADMEN, AND PROPHETS: Rethinking the History, Science, and Meaning of Auditory Hallucination. By Daniel B. Smith. Penguin Press. 254 pp. $24.95.

Marina Warner is one of our most erudite and morally serious writers, a historian of how forms and figures become the repositories of larger cultural values and meanings. In her earlier books she explored, among other things, how the Virgin Mary became "so satisfying a symbol"; how the female form became an allegory for desires and virtues that real women were thought to lack—justice, liberty, wisdom; and how the short career of Joan of Arc came to lodge "in the minds of people who heard her story" through the ages. Warner is interested in the ways that the really big furniture of our minds—religious as well as secular worldviews—came to be there.

Phantasmagoria is her most ambitious book, an intellectually dazzling struggle with how the modern world (beginning roughly in the Renaissance) has imagined the stuff of souls, the nature of the psyche, the "mysterious, elusive, and ethereal" thing that somehow distinguishes the truly dead from the living and makes us what we are. It is also her most challenging book, a wonderfully suggestive though not rigorously analytical work that often reaches further than it can grasp and admits as much. After all, the "enthralling borderland between animation and lifelessness" is not a well-lit terrain, however irresistibly it draws our attention.

In one sense the word "phantasmagoria" captures precisely what the book is about: how various technologies—wax figures at Madame Tussaud's, photographs, movies, digital images—became vehicles for imagining something that animates and gives life to what is lifeless. It is a late-eighteenth-century neologism that refers to both the optical illusion of a "phantom"—an apparition or spirit, an appearance that deceives—and the instrument first used in 1798 by Belgian inventor Étienne-Gaspard Robertson to generate these creatures. (In fact, Warner shows, the seventeenth-century polymath Jesuit Athanasius Kircher had already begun painting images of spirits on glass slides, one of several technologies for "producing and rendering the operations of fantasy.") But if the means by which we represent what we know to be unreal were all that interested Warner, her book would not be so compelling and so rich.

Phantasmagoria is instead a history of the "logic of the imaginary," which encompasses, among others, convinced spiritualists who believe in a still enchanted world;

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experimental thinkers like William James who felt that spiritualists might be onto something; modern-day religious fundamentalists who read the Book of Revelation as the literal truth; and critics of enchantment who nevertheless recognize that we do imagine life in inanimate things, from Karl Marx, with his theory of commodity fetishism, to Walter Benjamin, with his concept of the "aura" surrounding a work of art, to artists who have digitally constructed the life of Japanese cartoon figures. Warner does not distinguish between these levels of reality, nor is she bound by chronology. This elasticity of method allows her to traverse centuries and circle easily through the chaotic contemporary "mental skyscape" of spirit—an explosion of multimedia images—and the "wild heterogeneity of the Hellenistic world" thousands of years ago.

Warner's story of spirit begins solidly, however, with three corpses: the mummified body of Santa Caterina de'Vigri in Bologna's Church of Corpus Domini; the remains, in a grave only yards away, of the eighteenth-century scientist Luigi Galvani, who studied how electrical currents seemed to revivify dead frogs (this suggested to Mary Shelley the way Dr. Frankenstein could give life to his monster); and the famous "auto-icon" (the mummified body) of philosopher Jeremy Bentham, which sits in University College London and occasionally presides over Senate meetings there. The dead saint remains somehow present in an uncorrupted—or at least recognizable—body that testifies to the purity of the soul that once inhabited it and still gives it miraculous properties (not least of which is resurrection). The dead scientist is presumably dust, although we are reminded that life was but a spark. The dead materialist philosopher is strangely all there, evoking an eternal present, because what we see is the seat of personhood, at least as he understood it. How we think about what these bodies mean depends on how we answer the question of what animates matter.

Warner offers three ways to get at this. The first, most consistently pursued and lavishly documented, is a history of the forms, materials and technologies—from the wax of death masks and anatomical models to air and clouds, the imagined ether of space, mirrors and the magical projections of film and binary bits of the Internet—through which spirits have made themselves visible to the senses. This history does not follow a chronological order except insofar as still pictures came before moving ones. (Contemporary artists are discussed in chapters about sixteenth-century clouds or the seventeenth-century camera obscura.) There is more than a hint in this tale that each of these phantasmagoria has an intrinsic life of its own, as if it were waiting to become a vehicle of spirit in almost any time or place. (This history of enchantment is more than a little enchanted itself.) But the crucial point about phantasmagoria is not their illusory quality but their status as artifacts, as things made. "Art" creates spirit and psyche out of matter.

In successive chapters, Warner expands on how particular materials and techniques—the substrata, so to speak, of the imagination—bring the unseen and unseeable to light, each in its own particular way. Wax, for example, has the capacity to take on the colors and even textures of skin. It emphasizes the peculiarity of life through its capacity to represent deathlessness; it fixes the corruptible body in preternaturally real anatomical models of corpses that seem asleep. It is as if the modern techniques of wax sculpture could somehow represent a vivifying principle in a way that older religious forms could not, as if it could make the unseen palpable in ways that the Eucharistic wine and wafer could not. (Wax tablets, one might add, were a substratum of memory for Plato.)

There is a chapter on shadows—in chiaroscuro but more pointedly in cut-out silhouettes and later in black-and-white photographs. Because the light that created these images touched the thing itself, they somehow transmit something of the essence of the living original. Another chapter is on clouds: God dwells in them; angels lounge, dance and sing on the great billowing whiteness of Baroque paintings. Clouds also make themselves into shapes that diviners interpret and ordinary people dream in. And then there are chapters on photography and moving pictures of various sorts that create new possibilities: Marilyn Monroe, dead but ever young, can be conjured up with the click of a laptop; the uncanny is an everyday staple of contemporary media; all manner of illusionism is possible as never before.

Embedded in this survey of how spirit has been imagined is an intellectual history of subjectivity. This history is sketchier and far more speculative, but it usefully suggests the ways technology might determine how we understand personhood itself. The trajectory is roughly from the Newtonian sense of the mind as a kind of objective instrument to the "Romantic, Kantian, subjective percipient"—spirit goes inward—to the post-Victorian period, in which cameras and other instruments produce an ever stranger and unsettling form of "individual quiddity." Warner's dystopic image for this stage comes from

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Edgar Allan Poe's story "The Domain of Arnheim," in which spirits Poe calls "earth angels" "assemble and reassemble meaning in the world as they see fit." New technologies used to define us in various ways—ID cards with digitalized data; EEG, CAT, PET and scans of various sorts; new sorts of infotainment; indeed, a whole panoply of contemporary media—have, in Warner's view, weakened our power to imagine and left us feeling as if we and our world were being imagined by uncanny creatures who had passed "beyond death." The point seems to be that we have lost control of our souls.

Near the end of the book a third history comes into focus, a morality tale that gathers force in Warner's fierce final chapters: one on the Book of Revelation, with its hallucinatory violence at the End of Time; the other on zombies, those numb, vacant creatures emptied of selfhood and devoid of will who "embod[y] the principal ghostly condition of our time, the successor of waxworks, shades, ghosts, apparitions, and the host of paranormal spirits who have figured the dead in public since the eighteenth century." The Book of Revelation suffuses the language of our leaders: Bush's fondness for calling his term of office his "watch" echoes the call to "be watchful" (Revelation 3:2); the catchphrases "axis of evil" and "war on terror," Warner suggests, are self-conscious archaisms redolent of the Apocalypse. Zombies, which first arose in early-nineteenth-century Caribbean slave culture as phantasmic doppelgängers of men and women who had been robbed of personhood and freedom, re-emerge in the late twentieth century as the phantasmic expression of a new kind of dispossession: that of late capitalism.

The not-so-hidden subtext for Warner's morality coda is Iraq and more generally the politics of the world after 9/11: the religiously inflected rhetoric of Bush and Blair, who seem to regard the "war on terror" as if the Whore of Babylon were the enemy; media that make real pain and horrendous acts disappear in images; and TV news in which real events are scarcely distinguishable from stock images. Digitization, above all, has turned "reality into dream, dream into act, and myths into reality." In short, Warner suggests, the imagining of the spirit world has taken a terrible turn; what was once "real" and wholesome has turned corrupt and corrupting. Although the arc of her argument is never quite spelled out, her point seems to be that earlier phantasmagoria were representations of a reality beyond the visible—of the soul, the vivifying principle, the spirit of humanity. They helped us think through what—to return to the beginning of Warner's book—the bodies of the saint, the scientist and the philosopher mean. Today, on the other hand, phantasmagoria hide meaning and deny reality; spectacle supplants, even obliterates reality by creating a counterfeit world through the black magic of technology. Not just single events but whole wars—the first Iraq war, for example—can simply disappear.

Artists, writers and performers, Warner insists, need to resist this hollowing out and perversion of the imagination through new ways of imagining what she calls ensouling: "New metaphorical constellations need to be discovered in the skies that language and imagination unfurl before our eyes." In an age of dehumanizing technologies, those who care about human subjectivity need to "dream differently." She offers scores of examples of how art and, more generally, technology might help us to do this in a disenchanted—or more dangerously and malignantly enchanted—age. Some are poignantly ridiculous: Cotton wool was invented, we learn, by a Victorian doctor from Birmingham named Joseph Sampson Gamgee just in time to become, along with cheesecloth, the "most used [and highly photogenic] correlate of spirit substance" of the late nineteenth century. It is what ghosts—and angels in school pag-

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eants—wore. Other examples appear in suggestive asides. Those who attributed to "savage peoples" the belief in photography's capacity to steal the soul, she suggests, may have been projecting their own shame in having the very same "unscientific" intuition—and desire—that the new technology could transfer personhood through light to paper.

Warner draws other examples from modern art. There is a wonderful story about Arshile Gorky angrily getting out of a car in the middle of the desert because his traveling companion, Isamu Noguchi, refused to recognize that clouds were forming Uccello's *Battle of San Romano* in the sky. (Seeing things in nature goes way back: Piero di Cosimo saw things in the spit of hospital patients, and Leonardo imagined rocks and streams in the stains on walls.) And in sculptor Ron Mueck's plastic and resin hyperreal bodies, Warner finds figures that eerily "shiver on the very verge of life." Her point is not simply that Mueck is skilled at producing the effect of the real; his figures are too big and too disarticulated for it to be just a matter of realism (baby heads do not exist isolated from bodies). For Warner, Mueck's sculptures, like wax figures, suggest that even in our supposedly disenchanted world there is an animating principle, a spirit that gives life to matter.

In a book so richly imaginative there is also a lot to argue with. There is, first of all, Warner's moral pessimism, her conviction that technology generally determines experience and that contemporary media overdetermine it in dehumanizing ways. It may now be hard to retrieve personal memory from a surfeit of representations of ourselves; digital images may stand in for direct experience; popular video-game images of apocalypse may well elide the reality of pain and suffering of the carnage they represent. Yes, one might say, of course. Seeing ourselves and our memories through new technologies must make a difference. But as early-twentieth-century sociologist Maurice Halbwachs pointed out, memories are always social and refracted through those of others; they are never—or never just—our own. Human, and perhaps also animal, suffering and pain are never culturally pure; their reality takes shape through the meanings we give to them, and it is by no means clear that they are any less real now than they ever were. If clouds are no longer sufficient to convey "the unpolluted, uncontaminated zone of the spirit," as Warner writes, this is not because in the old days the skies were clear. The billowing clouds of Constable were painted at a time when the air of London and other great European cities was fouler than it had ever been before. Urban air pollution, in the West at least, was probably worse in the seventeenth and eighteenth centuries than it is now.

More important is the question of just what Warner thinks about the existence of phantasmagoria. I understand that if we take the term literally, this is a nonissue. They are all creatures of the imagination, of art and technology. But not all phantasms are the same. Whether or not clouds have meaning is not something that can be established empirically. Those who believe they do may be deluded or mistaken, but they are not gullible and cannot be disabused of the idea through experiment. But the belief that photographs scientifically record spirits or fairies or ectoplasm—the new stuff of souls—coming out of various orifices is another story. Warner says that her most unexpected finding is that Victorian science applied "rigorous laboratory methods to the proving of ghosts and a spirit force." Indeed, some prominent scientists—members of the Society for Psychical Research, for example, like Sir Oliver Lodge, one of the pioneers of electromagnetism research; Sir William Crookes, who discovered thallium; and Charles Richet, the 1913 Nobel laureate in physiology—believed they were doing just that. But many others showed again and again that their colleagues had been victims of fraud; as early as the late nineteenth century ordinary photography manuals showed how to produce "ghosts" via double exposures; prominent mediums were repeatedly unmasked. While radio waves and the cathode ray tube and telegraphy and photography did allow new ways to imagine spirits, as Warner argues, they also provided ways to show that spirits do not exist.

The ontological status, not of spirits but of voices, also haunts Daniel Smith's *Muses, Madmen, and Prophets*. For Warner voices are what they were for Aristotle: "sound produced by a creature possessing a soul." They are pneumatic, borne by air, imagined as "out there." The voices that Smith writes about are in the head, and his project is to figure out what they are doing there, what they mean today and what they meant in ages past. His overarching claim is clear and cogent. Voices once had a complex relationship to the divine and to the soul; in our age they have been reduced to symptoms of psychic pathology. He makes this claim through three distinct approaches. The first is intellectual: hearing voices as pathology, as a correlate of obsessive-compulsive disorder or as a symptom of schizophrenia or some other illness; as the communication of the gods. The sec-

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ond is emotional: most movingly, Smith's effort, through empathy, through participating in various simulations and through reading first-person accounts, to understand the voices that had spoken to his father all his life without the son knowing. And finally moral: an effort to understand how different societies have interpreted hearing voices.

Here he offers three case studies: that of Socrates, where the question, as Smith sees it, is the relationship between reason and the *daimonions* who spoke to him; that of Joan of Arc, whose voices, whether real or not, gave her joy and without which she was bereft; and that of the clearly mad Daniel Paul Schreber, who wrote brilliantly about his inner voices, insisting, like St. Joan—but in the language of a nineteenth-century German lawyer—that they gave him a "great and unshakable" knowledge of God and the universe. Schreber's is the voice of resistance to psychiatry, a leitmotif of the book.

Smith has construed his topic very broadly. This has the advantage of any really good survey. It has the disadvantage of making for something of a sprawl, a shaggy portmanteau that bulges with incommensurable phenomena. The literal hearing of voices—a simulation exercise in which he hears through earphones "it's you; you are the one"—jostles with the whole range of metaphoric voice-hearing like the voice of conscience or of an inner self (Rousseau's view) or of God within but not outside (St. Augustine's view). The inner voices of the indubitably insane shade over into the troubling voices of his father and the ordinary voices we all hear in conversations with ourselves. So broad a sweep means that serious philosophical discussions by leading scholars of ancient philosophy about how we might understand Socrates' interpretation of his "divine signs"—in the *Apology* they are simply voices (*phonē tis*)—are brusquely and unpersuasively dismissed, as are the linguistic problems involved in such questions.

In the ancient Greek world it was commonplace to think of voices as signs rather than as auditory hallucinations in the sense of what Schreber might have heard. As Alexander Nehamas, a scholar of ancient philosophy at Princeton, has noted, Plutarch thought that Socrates' *daimonion* was a sneeze, whether "his own or that of others." So "if another sneezed on his right, whether in front or behind him, he would perform the action (he was considering), but if it was on his left, he would desist." Voices in this sense are omens, like birds and clouds, which is only to say that auditory hallucinations perhaps cover so broad a range that the term risks losing meaning.

Smith, like Warner, is careful to reserve judgment on the question of ontology. It is not our duty, he says, to adjudicate the question of whether or not voices have meaning or even whether they really exist. They are real by virtue of their presence for those who hear them, and we have an obligation to listen to their claims "when they arrive, wherever they have come from."

I do not want to argue against tolerance. Certainly the contemporary study of religion and more generally of the world of spirits demands a certain suspension of judgment. But the question remains for the citizen if not the scholar in each of us: Is the world enchanted or is it not? Is there a divine or supranatural order that we can get at by interpreting the clouds or blots or religious texts, or is there not? I am not sure one can wax eloquent about the rich capacity to imagine spirits in one age and then feel repelled, as Warner does, by the apocalyptic rhetoric of an American President who regards God as a foreign policy adviser and the Apocalypse as a source for his speechwriters.

BBC News reported in 2004 that a 10-year-old toasted cheese sandwich that purportedly bore the image of the Virgin Mary had sold on eBay for $28,000. The Internet casino owner who bought it said that it was a wonderful bit of pop culture, would help

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raise money for charity and would generally raise people's spirits. On the other hand, Mrs. Duyser, who sold the sandwich, remarked that it had not gone moldy in the ten years since it had been made: a lunchbox Santa Caterina of sorts. Of course, one might not have to choose between these interpretations. Perhaps it was no more than a Mary rabbit's foot to Mrs. Duyser, who attributed a $70,000 gambling win to the luck-bearing toast Madonna. But even as we laugh at this story as camp, it is also scary, as a trawl of web-based Virgin Mary sightings quickly makes clear.

I can understand the power of phantasmagoria and of the need to imagine what is human about us in terms other than matter and motion. In her book on the Virgin, Warner reports that after she had lost her faith, she stood with tears in her eyes in the nave of Notre Dame, "furious at that old love's enduring power to move me." Neither she nor Smith is ready to give up on enchantment, but it may be time to abandon it in the public domain. Either we are alone in the universe and must make the best of it or we are not. In these days, when people whose bumper stickers read "If the driver of this car disappears it is the Rapture" have the ear of our President, I am not sure we can afford to remain agnostic. ■

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FILMS

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STUART KLAWANS

THE BOURNE ULTIMATUM • THE SIMPSONS MOVIE

Jason Bourne, man of multiple names and passports, is now three movies into a career as the world's most hotly pursued fugitive other than Harry Potter. Sought across glamorous datelines and establishing shots ("Paris, France") by the CIA agents who once had trained and used him, Bourne lives with constant danger but without personal baggage or a change of clothes, having long ago swapped his memory for a spy's tradecraft. You'd think a man with his problems and peculiar skills would sometimes decide to change his hair color, adopt a different wardrobe, put on a pair of Groucho glasses—anything to throw off the surveillance junkies, mind-control freaks and business-attired murderers of America's shadow government, who seem to operate everywhere against him. But Bourne stubbornly goes out in public wearing the face of Matt Damon, whose mug remains as invariable as his windbreaker and T-shirt.

This absence of disguise turns out to be the great joke of *The Bourne Ultimatum*, as it was (in retrospect) of the two previous Bourne adventures. As directed by Paul Greengrass, the new film patters along like a perpetual-motion étude, playing out an unbroken sequence of chases, fights, lies, betrayals, speed-smeared cuts and handheld asymmetries, with very little held constant amid the blur except for the most recognizable actor. Improbably, hilariously, Matt Damon's Bourne hides in plain sight.

But instances of unconcealment abound in *The Bourne Ultimatum*. Since the trailer gives away one of the wittier examples—in which Bourne, having phoned his chief pursuer, laconically discloses that he's calling from the man's office—maybe you'll excuse me for mentioning a few more: the forged passport that's used just so it will be traced; the code that's employed in full knowledge that it will be broken; the truth that must never be revealed but is published in the *Guardian* at the start of the picture. If you were to stop and reflect at any point in *The Bourne Ultimatum*—a feat as likely, I'd say, as your managing to recite the Gettysburg Address while being tickled with a feather duster—you would notice that all operations in this movie are overt. The film's notion of maintaining a low profile? Stealing a New York City police car and crashing it through the Midtown streets.

Whether the source novel by Robert Ludlum was equally deliberate in its nonsense, I can't say. I have read enough of Ludlum to know that he, like other thriller writers of the 1970s and '80s, found the Church Committee report on CIA misdeeds to be a wonderful supplier of grotesqueries for his stories and of readers willing to believe the worst of their government. But although *The Bourne Ultimatum* is a Ludlum novel I haven't read, I'm reasonably sure this 1990 book did not accuse the CIA of wide-spectrum warrantless monitoring of telephone calls, forced rendition of suspects or the use of torture paraphernalia made famous in photographs from Abu Ghraib. These are features of our immediate era, as the movie's chief villain (David Strathairn) reminds us from his top-secret, antiterrorist panopticon, set high in a New York tower.

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Nothing timely intruded on the first film in the series. Released in 2002, *The Bourne Identity* lacked reference to any current events but made up for this omission with an evergreen critique of American policy toward developing nations, and also a little sex. Traditional pleasures: the light and color back then were painterly under Doug Liman's direction, the images sometimes lingered and Franka Potente in the skirt role offered Damon her own kind of dangerous foreign entanglement.

With the release of *The Bourne Supremacy* in 2004, the series gained momentum—perhaps too much of it. The images, under a new director, took on a jittery, you-are-there look, which in a less frantic mode had lent a sense of authenticity to Greengrass's quasi-factual *Bloody Sunday*. Meanwhile, with Potente dispatched from the story, the Bourne series no longer had a female character you could smell. The remaining women—played by Joan Allen and Julia Stiles—were portrayed as Yankee, blond, starched and sexually unaggressive; and

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Bourne became that much blander, seeming to forget the craziness of his predicament. He no longer surprised himself by what he could do, nor was he surprised any longer by the purposes for which he had been used. Power politics had dropped out of the story. The scandal in which Bourne was caught concerned only an agency's crimes, not a government's.

Now, with *The Bourne Ultimatum*, we can see that it took five years for the producers and distributors to establish this franchise and bring it into something like real time. The new film finally abandons the scandals of the Church Committee report era and the evasions of the rogue-organization theory in favor of a fully contemporary plot—one in which a few figures of probity (one of them, admittedly, slightly nuts) struggle against government officials who share Dick Cheney's low opinion of due process. A small achievement, you might say. But the movies are a novelty business. It's good for a thriller to be of its time, and amazing (considering the length of production schedules) for it to allude to something as recently exposed as the government's data-mining program.

As for the benefits (also arguably small) of franchise filmmaking: *The Bourne Ultimatum* gives you the satisfaction of seeing conventions fulfilled, then exceeded. You get the now-requisite off-road motorized chase, conducted this time along the alleys and staircases of Tangier, and it's better than the chases in *The Bourne Supremacy*. (Greengrass has learned that he doesn't have to direct at triple speed to make a summer blockbuster; double will do.) You get Damon's now-established transition from killing machine to weary, knuckle-bruised pugilist, and it's more touching than you'd remembered. Sex, unfortunately, is still out of the picture; but at least there's a muted hint of romance, made poignant by a reminiscence of Potente, and that too is an improvement over the previous *Bourne*.

Best of all, though, is the pervasive, deadpan gag of Damon's face, and of every other clandestine thing in *The Bourne Ultimatum* that's actually out in plain view. A spy races around the world, delving into governmental mysteries, and uncovers truths he might have read in the morning paper; a troubled man probes relentlessly into the origins of his trauma and discovers that the secret's been with him all along. From the trials of Jason Bourne, the unknown man whom everyone recognizes, I learn the obvious: Be careful what you ask for. Read the *Guardian*, because the worst crimes happen in full sight. And if you want to locate a CIA safe house anywhere in the world, just Google it. That's what Bourne does.

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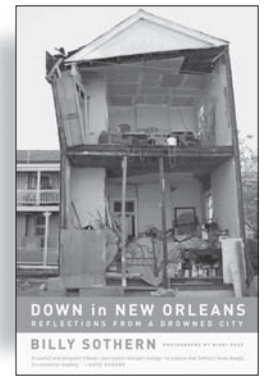

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It's a summer blockbuster thriller event movie, so I should have played the hero: battling the brutal forces of the Environmental Protection Agency, escaping from a futuristic hell to the unspoiled boredom of Alaska, making love to a woman who looks like a blue-tipped stalk of yellow asparagus. But I did not even get to read for *The Simpsons Movie*. My close friend and archrival, Arnold Schwarzenegger, got to read, but he was given the negligible role of President of the United States. Matt Damon was busy. Therefore, the hero of this motion picture was played by Homer Simpson, who is inadequate. He specializes in inadequacy.

You may think that a movie starring this pouchy, finger-twiddling Homer can only be a summer blockbuster thriller event parody. You are wrong. *The Simpsons Movie* copies all of my films faithfully, and for the same reason that I have copied them myself, because I don't know what else to do when I make a big picture. But still you may say to me, "McBain!" (I am used to it.) "Is *The Simpsons Movie* funny?" And I will tell you, "Yes—but not as funny as it is wide." In the really funny *Simpsons*, on television, Homer and his family test themselves against their traditional enemies: their employer, their neighbors and one another. These forces they may fight with cruel ferocity. The helicopters, the time bomb, the motorcycle and the data-mining center of the National Security Agency they should have left to me.

I know the television *Simpsons* has filled with laughter the mouths of many hate-America-first surrender weasels like Stuart Klawans, who will forgive in their weak-kneed way the flabby Homerishness that infects like pond scum this false epic of Jello-colored CinemaScope. But can I, Rainier Wolfcastle, forgive a once-great man, Montgomery Burns? I always believed he allowed *The Simpsons* to appear on his Fox television network only because it brought him a pretty penny, which he could use to save America. But now Mr. Burns, with his Twentieth Century Fox, has let this family ruin something that should have been a true McBain movie. Will we ever again see a true McBain movie?

Yes. Schwarzenegger came back. Willis came back. And Wolfcastle will come back, to dominate again even our surrender-weasel era. Meanwhile, watch for me in my new romantic eighteenth-century costume drama, *Becoming McBain*, in theaters everywhere. ■

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HIGHBROW IMP, 63, brainy and cute, gusty and sweet. Minneapolis female seeking wonderful male. Reply Nation Box 444.

PRISONER WITH TWO GRADUATE DEGREES seeks pen pals. Interests include politics, history, '80s music and world travel. R. J. Baumhammers, No. ET8465, c/o Pennsylvania Dept. of Corrections, SCI Greene, 175 Progress Drive, Waynesburg, PA 15370.

If responding to a Nation Box number, send replies to: Nation Box ___ , The Nation, 33 Irving Place, New York, NY 10003.

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THE RICHMOND, VA, Nation discussion group is seeking new members. Contact Wayne Young, (804) 232-8521, youngwayne88838@aol.com.

POSITIONS AVAILABLE

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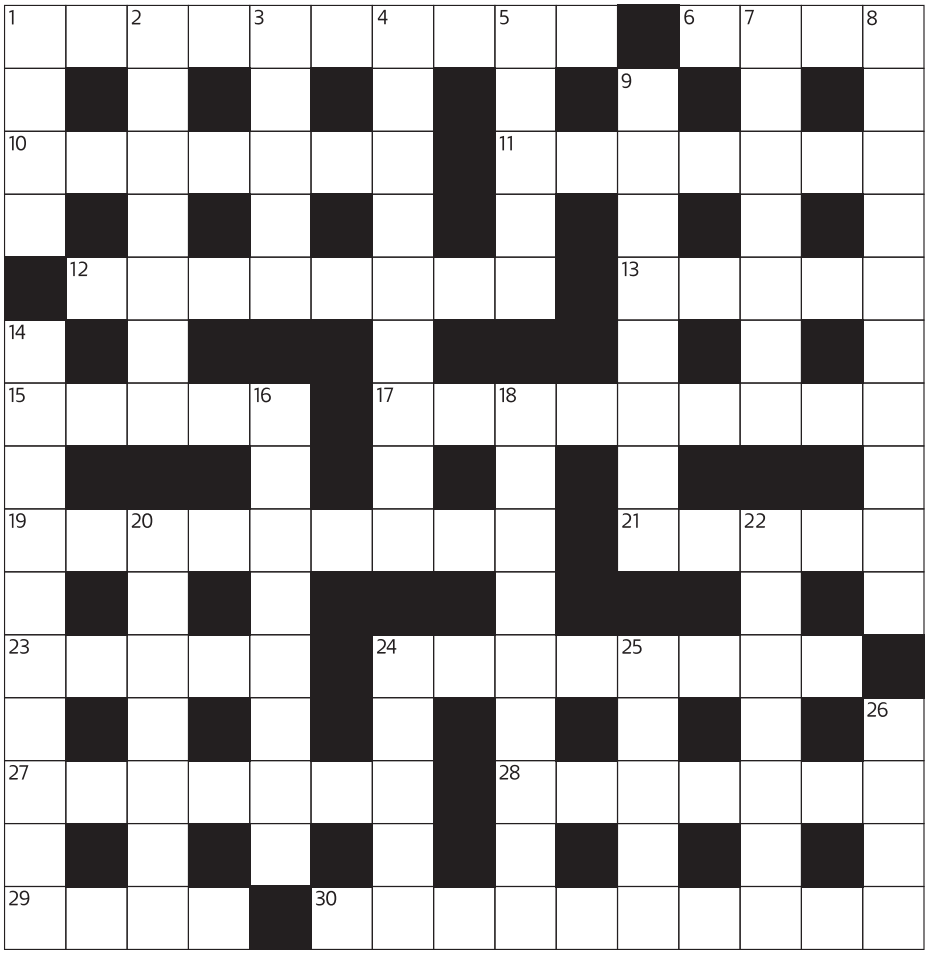

ACROSS

1 A degree of some people getting rather sneaky around nothing but an old instrument? Yes? Yes! (10)

6 What the bride and groom might take, as you might swear. (4)

10 Not very good clients, but you might get copy from such. (7)

11 When they were 27 on the old 30 ? (7)

12 Pa's companion gets to hang around and shirk the duty. (8)

13 What you get in a tub might be overflowing! (5)

15 The name for certain intelligence is awful trashy, in part. (5)

17 The one to whom they said "See you later" at one time. (9)

19 One had his day, but it might be responsible for bits of pork. (9)

21 Sacks brought back attached to letters. (5)

23 They are supposed to live long after certain "doers." (5)

24 Some articles have a meeting with the girlfriend, and what one might hand her. (8)

27 Camping out, possibly. (7)

28 They might be looking for the game to provide the runs, in a way. (7)

29 What one of the tribes got, like Ms. Peep's sheep were. (4)

30 See 11. (10)

DOWN

1 In a church, it's an afterthought, to a point. (4)

2 Does it mark the highest point of olla podrida, as one of the clan? (7)

3 Chili mixture with a nutty flavor. (5)

4 What I did to my better half in the old song—by Morse or Marconi. (9)

5 When one said he'd see 17. (5)

7 A small Southern state a Civil War general captured, but not one with a permanent settlement. (7)

8 A warlock's mate takes a boat, possibly, with what indicates a good "speller." (10)

9 Re angles that need straightening, creates "the big picture." (8)

14 Involving strong opinions, the one at the bench loses his point and gets kinda crazy, in a slangy way. (10)

16 One doesn't believe there's a bit of trouble in coasting. (8)

18 Certainly not a heavy cruiser, but has quite a beam. (9)

20 Tries on for a fitting, and gets into position. (7)

22 A short poem has a sort of drone in Paris to the bottom. (7)

24 A system of principles that puts the pet above the parent? (5)

25 One who chooses to be by himself is one in both the left and the right. (5)

26 Possibly sued the management of "pre-owned" types. (4)

PUZZLED? No more cross words. If you don't see why "Lures" are "Ground Rules" send for those of Mr. Lewis to: Puzzled, The Nation, 33 Irving Place, New York, NY 10003, or access our website at www.thenation.com/about/crossword.mhtml.

SOLUTION TO PUZZLE NO. 3092

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E	■	I	■	H	■	E	■	■	■	N	■	F	■	U
G	O	N	D	O	L	A	■	B	A	S	H	F	U	L
E	■	D	■	D	■	T	■	A	■	N	■	E	■	L
N	E	O	L	I	T	H	■	C	H	A	I	N	E	D
D	■	W	■	U	■	E	■	C	■	R	■	D	■	O
■	■	S	O	M	E	R	S	A	U	L	T	I	N	G
S	■	■	■	■	■	S	■	L	■	■	■	■	■	S
T	R	A	N	S	A	T	L	A	N	T	I	C	■	■
A	■	D	■	T	■	R	■	U	■	E	■	O	■	E
R	A	V	I	O	L	I	■	R	E	D	O	U	B	T
F	■	E	■	P	■	P	■	E	■	I	■	N	■	U
I	R	R	U	P	T	S	■	A	D	O	P	T	E	D
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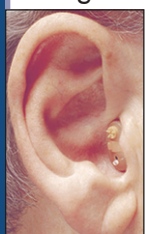

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